

**BEFORE THE ARKANSAS SECURITIES COMMISSIONER**

**CASE NO. S-13-0095**

**ORDER NO. S-13-0095-14-OR01**

RECEIVED

14 JUL -7 PM 2:11

ARKANSAS SECURITIES DEPT.

**IN THE MATTER OF:**

**EVERTON ALEXANDER MURDOCK**

**RESPONDENT**

**CEASE AND DESIST ORDER**

On July 7, 2014, the Staff of the Arkansas Securities Department (“Staff”) filed its Request for Cease and Desist Order (“Request”) stating that it has certain information and evidence indicating that Everton Alexander Murdock has violated provisions of the Arkansas Securities Act (“Act”), codified at Ark. Code Ann. §§ 23-42-101 through 23-42-509. The Arkansas Securities Commissioner (“Commissioner”) has reviewed the Request and based upon the representations made therein finds as follows:

**FINDINGS OF FACT**

The Request contains the following representations of fact:

1. Everton Alexander Murdock (“Murdock”), CRD No. 3149373, is a New York resident who was employed as a broker-dealer agent with National Securities Corporation (“NSC”), CRD No. 7569, from December 21, 2012, until his discharge on July 9, 2013. Murdock was not registered with the Department in any capacity during his employment with NSC.

2. On June 18, 2013, Murdock contacted an Arkansas resident (“AR1”) on a cold call recommending the purchase of stock in an initial public offering by HD Supply Holdings, Inc. (“HDS”). Murdock was not aware at the time of the call that AR1 was employed as a Senior Securities Examiner with the Arkansas Securities Department (“Department”) and that he had contacted AR1 on a Department phone during business hours.

### CONCLUSIONS OF LAW

3. Ark. Code Ann. § 23-42-301(a) provides that it is unlawful for any person to transact business in Arkansas as a broker-dealer agent without first being registered as such pursuant to the Act.

4. Murdock cold called AR1 and recommended the purchase of HDS stock. Murdock was not registered with the Department as an agent of NSC at the time of the cold call and, therefore, acted as an unregistered agent in violation of Ark. Code Ann. § 23-42-301(a).

### ORDER

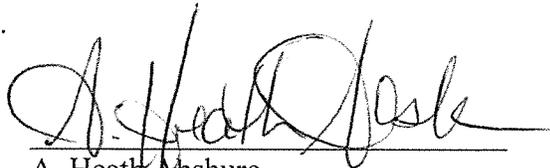
5. Murdock shall immediately cease and desist from further violations of Ark. Code Ann. § 23-42-301(a), and refrain from acting as a broker-dealer agent until such time as he is properly registered with the Department or shown to be exempt from registration under the Act.

6. A hearing on this Cease and Desist Order shall be held if requested by Murdock in writing within thirty days of the entry of this Order or if otherwise ordered by the Commissioner. Ark. Code Ann. § 23-42-209(a)(2)(A). Such request should be addressed to the Commissioner and submitted to the following address:

Arkansas Securities Commissioner  
201 East Markham, Suite 300  
Little Rock, Arkansas 72201

7. If no hearing is requested and none is ordered by the Commissioner, this Cease and Desist Order will remain in effect until it is modified or vacated by the Commissioner. Ark. Code Ann. § 23-42-209(a)(2)(B).

Dated this 7<sup>th</sup> day of July, 2014.



A. Heath Abshure  
Arkansas Securities Commissioner