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**BEFORE THE ARKANSAS SECURITIES COMMISSIONER
CASE NO. S-16-0108
ORDER NO. S-16-0108-17-OR01**

ARKANSAS SECURITIES DEPT.

**IN THE MATTER OF:
PROEQUITIES, INC. AND AARON JOHN FULTON**

RESPONDENTS

CONSENT ORDER

This Consent Order is entered pursuant to the Arkansas Securities Act, codified at Ark. Code Ann. §§ 23-42-101 through 23-42-509 ("Act"), the Rules of the Arkansas Securities Commissioner ("Rules") promulgated under the Act and the Arkansas Administrative Procedures Act, codified at Ark. Code Ann. §§ 25-16-201 through 25-16-303 in accordance with an agreement by and between the Staff of the Arkansas Securities Department ("Staff"), ProEquities, Inc. ("ProEquities") and Aaron John Fulton ("Fulton"), in full and final settlement of all claims that could be brought against ProEquities and Fulton by the Staff on the basis of the facts set forth herein. Without admitting or denying the findings of fact detailed below ProEquities and Fulton admit the jurisdiction of the Act and the Arkansas Securities Commissioner ("Commissioner"), waive its and his right to a formal hearing and consent to the entry of this order and agree to abide by its terms.

FINDINGS OF FACT

1. ProEquities, CRD No. 15708, is an Alabama corporation with its primary business address in Birmingham, Alabama. ProEquities has been registered as a broker-dealer with the Arkansas Securities Department ("Department") since September 18, 1985.

2. Fulton, CRD No. 3234089, has been registered as an agent of ProEquities with the Department since November 18, 2016. Fulton is a resident of Maple Grove, Minnesota.

3. On or about September 19, 2016, Fulton sold securities issued by Ft. Collins Multifamily III DST to one Arkansas resident ("AR1").

4. Since January 4, 2012, Fulton has sold securities with ProEquities in other states. As stated above, on or about September 19, 2016, Fulton sold securities to AR1. Fulton was not registered with the Department to sell securities to residents of the State of Arkansas at the time he sold securities to AR1.

5. ProEquities and Fulton fully cooperated with the Staff during the Staff's investigation of this matter.

CONCLUSIONS OF LAW

6. Ark. Code Ann. § 23-42-301(a) states that it is unlawful for a person to transact business in this state as a broker-dealer or an agent unless he or she is registered under this chapter. Fulton violated Ark. Code Ann. § 23-42-301(a), as detailed in paragraphs two through four.

7. Ark. Code Ann. § 23-42-301(b)(1) states that it is unlawful for a registered broker-dealer to employ an unregistered agent except a nonresident agent who is registered by any other state securities administrator and who effects transaction in this state exclusively with registered broker-dealers. ProEquities violated Ark. Code Ann. § 23-42-301(b)(1), as detailed in paragraph four.

UNDERTAKING

In settlement of this matter ProEquities shall pay a fine in the amount of \$1,000.00. Fulton shall pay a fine in the amount of \$1,000.00.

OPINION

This order is in the public interest. The facts as set out in paragraphs two through four support the violations of the Act as set out in paragraphs six and seven.

ORDER

IT IS THEREFORE ORDERED that ProEquities shall pay a fine in the amount of \$1,000.00 to the Department within 10 days of the entry of this order. Fulton shall pay a fine in the amount of \$1,000.00 to the Department within 10 days of the entry of this order.



B. Edmond Waters
Arkansas Securities Commissioner

3-13-17
Date

APPROVED AS TO FORM
AND CONTENT:

Christopher W. Flint
Christopher W. Flint, CEO of ProEquities

March 9, 2017
Date

Max Beruffey
MAX BERUFFEY, Attorney for
Respondent ProEquities

March 10, 2017
Date

Aaron Fulton
Aaron Fulton, Respondent

3/7/2017
Date

Scott Freydl
Scott Freydl, Staff Attorney

3/13/17
Date