

OPEN MEETING ITEM

12/17-18/13



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COMMISSIONERS
BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



SECURITIES DIVISION
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Phoenix, AZ 85007
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JODI JERICH
EXECUTIVE DIRECTOR

ARIZONA CORPORATION COMMISSION

ORIGINAL

MEMORANDUM

TO: Bob Stump, Chairman
Gary Pierce
Brenda Burns
Bob Burns
Susan Bitter Smith

Arizona Corporation Commission

DOCKETED

DEC 03 2013

FROM: Matthew J. Neubert *MJN*
Director of Securities

DOCKETED BY *[Signature]*

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AZ CORP COM
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DATE: December 2, 2013

RE: *In re Britt M. Lachemann (CRD No. 3475135),*
Docket No. S-20894A-13-0351

CC: Jodi Jerich, Executive Director

Please find attached a proposed Order to Cease and Desist, for Restitution, for Administrative Penalties, and Consent to Same ("Consent Order") by Britt M. Lachemann (CRD No. 4375135), a single man.

Beginning about May 2012, Respondent, a registered securities salesman, began seeking loans from his customers. He obtained three loans totaling \$217,500. Respondent repaid \$86,500 and the firm that employed him repaid \$106,000 to customers, leaving \$24,500 outstanding which has not been repaid.

The Consent Order finds that Respondent violated R 14-4-130(A)(15) by engaging in dishonest or unethical practices in the securities industry by borrowing money from his customers who, at the time of the loans to him, were neither relatives of his nor persons in the business of lending funds. The Consent Order revokes Respondent's securities salesman registration, requires Respondent to cease and desist from violating the Securities Act, pay restitution in the principal amount of \$24,500, and to pay an administrative penalty in the amount of \$10,000.

The Division recommends the Consent Order as appropriate, in the public interest and necessary for the protection of investors.

Originator: Steven Briggs

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

In the matter of:)	DOCKET NO. S-20894A-13-0351
BRITT M. LACHEMANN (CRD No. 4375135), a single man,)	DECISION NO. _____
Respondent.)	ORDER OF REVOCATION,
)	ORDER TO CEASE AND DESIST,
)	ORDER FOR RESTITUTION,
)	ORDER FOR ADMINISTRATIVE
)	PENALTIES AND CONSENT TO SAME
)	BY BRITT M. LACHEMANN
)	

Respondent Britt M. Lachemann elects to permanently waive any right to a hearing and appeal under Articles 11 and 12 of the Securities Act of Arizona, A.R.S. § 44-1801, *et seq.* (“Securities Act”) with respect to this *Order For Revocation, Order To Cease And Desist, Order For Restitution, Order For Administrative Penalties And Consent To Same By Britt M. Lachemann* (“Order”). Respondent admits the jurisdiction of the Arizona Corporation Commission (“Commission”); admits only for purposes of this proceeding and any other proceeding in which the Commission or any other agency of the state of Arizona is a party the Findings of Fact and Conclusions of Law contained in this Order; and consents to the entry of this Order by the Commission.

I.

FINDINGS OF FACT

1. Britt M. Lachemann has been at all relevant times an Arizona resident.
2. From July 6, 2001 to May 2, 2013, Respondent, CRD No. 4375135, was registered as a securities salesman in Arizona.

1 on the date of this Order. Payment shall be made to the "State of Arizona." Any amount
2 outstanding shall accrue interest from the date judgment is entered at the rate of 10 percent per
3 annum.

4 IT IS FURTHER ORDERED that payments received by the state of Arizona shall first be
5 applied to the restitution obligation. Upon payment in full of the restitution obligation, payments
6 shall be applied to the penalty obligation.

7 IT IS FURTHER ORDERED that if Respondent fails to comply with this order, the
8 Commission may bring further legal proceedings against Respondent, including application to the
9 superior court for an order of contempt.

10 IT IS FURTHER ORDERED that Respondent comply with the attached *Consent to Entry of*
11 *Order*.

12 IT IS FURTHER ORDERED that this Order shall become effective immediately.

13 BY ORDER OF THE ARIZONA CORPORATION COMMISSION

14
15 CHAIRMAN

COMMISSIONER

16
17 COMMISSIONER

COMMISSIONER

COMMISSIONER

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19 IN WITNESS WHEREOF, I, JODI JERICH, Executive
20 Director of the Arizona Corporation Commission, have
21 hereunto set my hand and caused the official seal of the
22 Commission to be affixed at the Capitol, in the City of
23 Phoenix, this _____ day of _____, 2013.

24 _____
25 JODI JERICH
26 EXECUTIVE DIRECTOR

Decision No. _____

1 DISSENT

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DISSENT

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5 This document is available in alternative formats by contacting Shaylin A. Bernal, ADA
6 Coordinator, voice phone number 602-542-3931, e-mail sabernal@azcc.gov.

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7 (SCB)

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Decision No. _____

CONSENT TO ENTRY OF ORDER

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2 1. Britt M. Lachemann ("Respondent") admits the jurisdiction of the Commission over
3 the subject matter of this proceeding. Respondent acknowledges that he has been fully advised of
4 his right to a hearing to present evidence and call witnesses and he knowingly and voluntarily
5 waives any and all rights to a hearing before the Commission and all other rights otherwise
6 available under Article 11 of the Securities Act and Title 14 of the Arizona Administrative Code.
7 Respondent acknowledges that this *Order For Revocation, Order To Cease And Desist, Order For*
8 *Restitution, Order For Administrative Penalties And Consent To Same By Britt M. Lachemann*
9 ("Order") constitutes a valid final order of the Commission.

10 2. Respondent knowingly and voluntarily waives any right under Article 12 of the
11 Securities Act to judicial review by any court by way of suit, appeal, or extraordinary relief
12 resulting from the entry of this Order.

13 3. Respondent acknowledges and agrees that this Order is entered into freely and
14 voluntarily and that no promise was made or coercion used to induce such entry.

15 4. Respondent understands and acknowledges that he has a right to seek counsel
16 regarding this Order, and that he has had the opportunity to seek counsel prior to signing this Order.
17 Respondent acknowledges and agrees that, despite the foregoing, he freely and voluntarily waives
18 any and all right to consult or obtain counsel prior to signing this Order, and understand all terms it
19 contains.

20 5. Respondent admits only for purposes of this proceeding and any other proceeding in
21 which the Commission or any other agency of the state of Arizona is a party the Findings of Fact
22 and Conclusions of Law contained in this Order.

23 6. By consenting to the entry of this Order, Respondent agrees not to take any action or
24 to make, or permit to be made, any public statement denying, directly or indirectly, any Finding of
25 Fact or Conclusion of Law in this Order or creating the impression that this Order is without factual
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1 basis. Respondent will undertake steps necessary to assure that all of his agents understand and
2 comply with this agreement.

3 7. While this Order settles this administrative matter between Respondent and the
4 Commission, Respondent understands that this Order does not preclude the Commission from
5 instituting other administrative or civil proceedings based on violations that are not addressed by
6 this Order.

7 8. Respondent understands that this Order does not preclude the Commission from
8 referring this matter to any governmental agency for administrative, civil, or criminal proceedings
9 that may be related to the matters addressed by this Order.

10 9. Respondent understands that this Order does not preclude any other agency or
11 officer of the state of Arizona or its subdivisions from instituting administrative, civil, or criminal
12 proceedings that may be related to matters addressed by this Order.

13 10. Respondent agrees that he will not apply to the state of Arizona for registration as a
14 securities dealer or salesman or for licensure as an investment adviser or investment adviser
15 representative until such time as all restitution and penalties under this Order are paid in full.

16 11. Respondent agrees that he will not exercise any control over any entity that offers or
17 sells securities or provides investment advisory services within or from Arizona until such time as
18 all restitution and penalties under this Order are paid in full.

19 12. Respondent consents to the entry of this Order and agrees to be fully bound by its
20 terms and conditions.

21 13. Respondent acknowledges and understands that if he fails to comply with the
22 provisions of the order and this consent, the Commission may bring further legal proceedings
23 against him, including application to the superior court for an order of contempt.

24 14. Respondent understands that default shall render him liable to the Commission for
25 its costs of collection and interest at the maximum legal rate.

26 15. Respondent agrees and understands that if he fails to make any payment as required

1 SERVICE LIST FOR: BRITT M. LACHEMANN (CRD NO. 4375135):

2 Britt M. Lachemann
3 2250 East Montecito Avenue
4 Phoenix, AZ 85016

5 *Pro Se*

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Decision No. _____

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

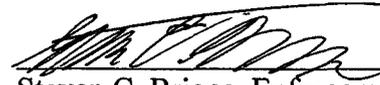
3 BOB STUMP, Chairman
4 GARY PIERCE
5 BRENDA BURNS
6 BOB BURNS
7 SUSAN BITTER SMITH

6 In the matter of:)
7 BRITT M. LACHEMANN (CRD No. 4375135), a)
8 single man,)
9 Respondent.)

DOCKET NO. S-20894A-13-0351

**NOTICE OF FILING OF PROPOSED
OPEN MEETING AGENDA ITEM**

10 Pursuant to A.A.C. R14-4-303, you are hereby notified that the attached: ORDER OF
11 REVOCATION, ORDER TO CEASE AND DESIST, ORDER FOR RESTITUTION,
12 ORDER FOR ADMINISTRATIVE PENALTIES AND CONSENT TO SAME BY BRITT M.
13 LACHEMANN was filed with the Arizona Corporation Commission's Docket Control.

15 Dated: 12/2/2013 By: 
16 Steven C. Briggs, Enforcement Attorney

17 I hereby certify that I have this day served the foregoing document on all parties of record
18 in this proceeding by mailing a copy thereof, properly addressed with first class postage prepaid to:

19 Britt M. Lachemann
20 2250 East Montecito Avenue
21 Phoenix, AZ 85016
22 *Pro Per*

22 Dated: 12/3/13 By: 
23 Emie R. Bridges, Executive Assistant