

OPEN MEETING ITEM

12/17-18/13



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

JODI JERICH
EXECUTIVE DIRECTOR



SECURITIES DIVISION
1300 West Washington, Third Floor
Phoenix, AZ 85007
TELEPHONE: (602) 542-4242
FAX: (602) 388-1335
E-MAIL: securitiesdiv@azcc.gov

ARIZONA CORPORATION COMMISSION

MEMORANDUM

ORIGINAL

Arizona Corporation Commission

DOCKETED

DEC 03 2013

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

DOCKETED BY

FROM: Matthew J. Neubert
Director of Securities

DATE: November 26, 2013

RE: Thomas L. Hampton and Stephanie Yager, Hampton Capital Markets, LLC, et. al,
Docket No. S-20823A-11-0407

CC: Jodi Jerich, Executive Director

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL
2013 DEC 3 AM 11 20

Please find attached a proposed Order to Cease and Desist, For Administrative Penalties, and Consent to Same regarding Thomas L. Hampton, Hampton Capital Markets, LLC (collectively "Respondents") and the Order of dismissal of Stephanie Yager ("Respondent Spouse").

Between September 2010, to October 2011, Respondents misrepresented that they had developed a sophisticated and profitable securities trading strategies for exchange traded funds ("ETF"). Respondents raised approximately \$4.8 million dollars from investors in Arizona and Texas for their hedge fund that would trade in ETFs based on the alleged trading strategies. Respondents submitted account statements to investors showing gains from the ETF trades. In reality, Respondents suffered losses monthly.

On April 19, 2013, respondent Hampton waived prosecution by indictment and consented to a proceeding by information in criminal case no. 13-CR-301-RWS, filed by the United States Attorney's Office in the US District Court in the Southern District of New York, arising from the ETF hedge fund offering. Respondent Hampton plead guilty to one count of commodities fraud, was sentenced to thirty months of prison, and ordered to pay \$4,879, 627.98 to victims identified by the government. Thomas L. Hampton has been residing in St. Louis, Missouri since 2012.

The Order finds that Respondents violated A.R.S. §§ 44-1841 and 44-1842 by offering and selling unregistered securities while being unregistered as salesmen. The Order also finds that Respondents violated the anti-fraud provisions of A.R.S. § 44-1991 by their material misrepresentations. The Order assesses a \$50,000 administrative penalty against Respondents. No restitution is sought in the Consent Order as the criminal restitution includes all Arizona and Texas investors. In addition, the order dismisses the Respondent Spouse from this proceeding.

A hearing is currently scheduled for May 12 through 16, 2014 to address the allegations pertaining to the remaining named respondents.

Originator: Phong (Paul) Huynh

I.

FINDINGS OF FACT

1
2
3 1. At all relevant times, Respondent THOMAS LAURENCE HAMPTON
4 (“HAMPTON”) has been an Arizona resident.

5 2. At all relevant times, HAMPTON has been offering and/or selling the hedge fund
6 investments discussed below on behalf Respondent HAMPTON CAPITAL MARKETS, LLC
7 (“HCM”) as its member, “Managing Director,” and securities salesman or dealer.

8 3. HAMPTON, CRD# 2470192,¹ was registered as a securities salesman (*i.e.*, registered
9 representative) by the Financial Industry Regulatory Authority (“FINRA”)², with Illinois, Kansas, and
10 Missouri state securities agencies from approximately 1994 to 1995.

11 4. In January 2009, HAMPTON applied with both the Commission and FINRA to
12 become registered as a securities salesman (the “2009 Registration Application”). HAMPTON’s 2009
13 Registration Application was terminated and/or withdrawn without approval. As a result, at all
14 relevant times, HAMPTON has not been registered by the Commission as a securities salesman or
15 dealer.

16 5. HCM was organized by HAMPTON as an Arizona limited liability company on or
17 about June 13, 2007.

18 6. At all relevant times, HCM has maintained a place of business in Scottsdale, Arizona
19 and it has been issuing, offering, and/or selling the hedge fund investments discussed below within or
20 from Arizona. HCM has not been registered by the Commission as a securities dealer.

21 7. HAMPTON and HCM may be referred to collectively as “Respondents.”

22 8. At all relevant times STEPHANIE YAGER has been an Arizona resident and the
23 spouse of HAMPTON.

24 ¹ CRD is an acronym for the “Central Registry Depository.” The CRD is a computerized database that can be used by
25 securities regulators to locate, for instance, complaints filed against or disciplinary history regarding registered
26 securities salesman or dealers. Potential investors may ask their state securities regulators like the Commission for
information contained in the CRD.

² FINRA is a self-regulatory organization that regulates financial service firms that deal with the public in the United
States.

1 9. STEPHANIE YAGER may be referred to hereafter as "Respondent Spouse."
2 Respondent Spouse is joined in this action under A.R.S. § 44-2031(C) solely for purpose of
3 determining the liability of Respondent's and Respondent Spouse's marital community.

4 **The Hedge Fund**

5 10. HAMPTON, within and from Arizona, represented to offerees and/or investors that:
6 (a) HCM is a hedge fund managed by HAMPTON; and (b) that HAMPTON and/or HCM is
7 engaged in the business of buying and selling exchange traded funds using a trading strategy
8 developed by HAMPTON (the "Business").

9 11. An exchange traded fund, or "ETF," is typically a registered investment company
10 that owns a portfolio of securities that track an underlying benchmark or index, such as the S&P
11 500[®] equities market index. Shares of an ETF can be traded on a stock exchange like the New
12 York Stock Exchange, similar to stock.

13 12. From at least September 2010 to October 2011, Respondents have been offering
14 and/or selling passive investments to the general public to raise a pool of capital to fund
15 HAMPTON's ETF trading business (the "Hedge Fund Investment(s)").

16 13. HAMPTON discussed and/or emphasized to investors that the Hedge Fund
17 Investment would be highly liquid because HCM rarely held positions overnight.

18 14. Certain investors received and executed Subscription Agreements.

19 15. The Subscription Agreement states that HCM is issuing and selling a minimum of
20 ten Hedge Fund Investments, for a "total minimum" investment offering of \$500,000.

21 16. Regarding Hedge Fund Investment sales commissions, the Subscription Agreement
22 states that a "5% fee will be paid to introducing solicitor upon receipt of funds."

23 17. The Subscription Agreement states that to purchase a Hedge Fund Investment, an
24 investor has to:

- 1 a. List the amount of the investor's desired principal investment amount (*i.e.*,
2 \$50,000+), and select the desired Profits to be received (*i.e.*, 10% interest per
3 annum, or "Profit Sharing" Profits);
- 4 b. Make their principal investment check payable to HCM;
- 5 c. Sign and date the Subscription Agreement, and send it along with the investment
6 funds to Respondents at their Scottsdale, Arizona business address; and
- 7 d. Complete an attached "ACCREDITED INVESTOR QUESTIONNAIRE"
8 representing to Respondents that the investor believes he or she is an accredited
9 investor, generally defined in the questionnaire as a person who has either a net
10 worth exceeding \$1,000,000, or individual income in excess of \$200,000 in each of
11 the last two years.

12 18. Also attached to the Subscription Agreement is a four page W-9 tax form to be
13 completed by the investor.

14 19. The Subscription Agreement states that Hedge Fund Investment purchases accepted
15 by Respondents will be documented by: (a) HAMPTON's signature on an executed Subscription
16 Agreement on behalf of HCM as its "Managing Director; and (b) "a certificate representing the
17 investment amount" prepared and delivered to the investor by HAMPTON.

18 20. In addition, HAMPTON and HCM also maintained a website at
19 www.hamptoncap.com ("Website"), which was available from approximately February 2011 to
20 approximately November 2011.

21 21. The "About Us" page of HCM's Website included the following representations:

- 22 a. HAMPTON is an experienced securities trader who in 1999 discovered a "market
23 anomaly" that allowed him to profitably engage in ETF trades until 2003 when such
24 market anomalies were no longer present;
- 25 b. In 2009, HAMPTON discovered a new way to make money by trading "leveraged
26 index ETFs" due to pricing discrepancies, or "inefficiencies";

- 1 c. HAMPTON generally refers to this discovery as a “low-latency index derivative
- 2 arbitrage” strategy (the “Strategy”);
- 3 d. Because of the evolution in the “electronic trading world,” it is not feasible to timely
- 4 execute the Strategy “manually,” or via paper orders handled by people;
- 5 e. In early 2010, HAMPTON hired a computer software programmer to design a
- 6 computer program that implements Respondents’ Strategy, and that can be used by
- 7 HAMPTON with his securities broker’s computer-based “API (automated
- 8 programming interface)” to buy and sell ETFs; and
- 9 f. The computer program can recognize HAMPTON’s desired market conditions and
- 10 timely send out ETF trade orders per Respondents’ Strategy “in less than 1
- 11 millisecond (1/1000 of a second).”

12 22. HCM publicly offered and advertised the Hedge Fund Investments within or from

13 Arizona, in part, by publishing detailed information regarding the same on the “Trading Strategies”

14 page of the Website (the “Prospectus Page”).

15 23. According to the Prospectus Page, potential investors can chose one of two types of

16 Hedge Fund Investments returns at the time of investment purchase, including:

- 17 a. A flat “10% Preferred Return,” or interest paid by HCM and/or HAMPTON on
- 18 principal Hedge Fund Investments at the rate of ten percent per year, with the
- 19 apparent return of the principal investment funds at the conclusion of the
- 20 investments (the “10%” returns); or
- 21 b. “Trading Participation” profits wherein HCM and/or HAMPTON and investors
- 22 equally share in the ETF trading Strategy profits, or “a standard 50/50 trading split
- 23 (i.e., 50% of the profits to investor and 50% to Management)” (the “Profit Sharing”
- 24 returns). The 10% and Profit Sharing returns may be collectively referred to as the
- 25 “Profit(s)”.
- 26

1 24. The Prospectus Page of the Website further provides potential investors with
2 detailed examples of how HCM and/or HAMPTON are able to generate Profits using their ETF
3 trading Strategy.

4 25. According to the Prospectus Page, the minimum Hedge Fund Investment purchase
5 price is \$50,000.

6 26. At all relevant times, the "Documents" page of the Website has included a link to a
7 detailed Hedge Fund Investment "Account Application" which, when clicked, opens a PDF
8 formatted document of the Subscription Agreement, discussed above.

9 27. The Hedge Fund Investment Subscription Agreement can be accessed, reviewed,
10 printed or downloaded from the Website by an Arizona resident without restriction.

11 28. Neither the Prospectus Page of the Website, nor the Subscription Agreement state
12 that the Hedge Fund Investments have a particular termination date, or a date on which an investor
13 can expect to receive back their principal investment funds and promised Profits. Further, the
14 "Revocation" provision of the Subscription Agreement, states as follows:

15 **6. Revocation**

16 The Investor agrees that he or she shall not cancel, terminate or revoke this
17 Subscription Agreement or any agreement of the Investor made hereunder, and that
18 this Subscription Agreement shall survive the death, disability or incompetence of
19 the Investor. (emphasis in original)

20 29. Investors submitted checks and wire transfers to HAMPTON, which generally
21 named HCM as the payee or beneficiary. The funds were deposited into Arizona bank accounts
22 owned and controlled by HAMPTON.

23 30. Certain investors were provided with documents from HAMPTON describing the
24 low-latency index derivative arbitrage strategy, which included a chart, which compares the HCM
25 investment to the S&P 500® from October 2010 to July 2011.
26

1 31. The chart states that for each month, from October 2010 to July 2011, the HCM
2 investment returned 1%, 2.41%, 0.90%, 3.58%, 1.47%, 5.90%, 1.80%, 3.73%, 0.16%, and 2.10%,
3 respectively.

4 **Trading Account #1**

5 32. In January 2010, to conduct the ETF trading Strategy, HAMPTON opened a
6 securities trading account with Interactive Brokers, LLC, ("IB") that permitted the trading of
7 options, forex, futures, and related securities products (Trading Account #1).

8 33. HAMPTON is the authorized trader on Trading Account #1, and managed and
9 controlled the funds. Investors do not have direct access to or control of Trading Account #1.

10 34. On or about January 27, 2010, Trading Account #1 was funded with \$50,000.

11 35. Between the periods of February 2010 to September 2010, HAMPTON incurred
12 fees and trading losses every month in Trading Account #1. The IB monthly statements reveal that
13 the account net asset value changed by -28.69%, -22.72%, -10.14%, -89.94%, -1.00%, -1.83%, -
14 92.77%, -25.71%, respectively, on a month-to-month basis.

15 36. In September 2010, the ending balance of Trading Account #1 was \$130.

16 37. The Hedge Fund Investment investors were introduced to HAMPTON by TIM and
17 PAT. Most of the investors were existing clients of TIM or PAT.

18 38. In October 2010, HAMPTON deposited \$435,000 of investor funds into Trading
19 Account #1.

20 39. The IB monthly statement reveals that the account net asset value for November
21 2010 changed by -46.40%.

22 40. HAMPTON failed to disclose to investors that he had incurred losses and/or
23 decreases in the net asset value in the preceding months, as a result of his trading Strategy.

24 41. Between October 2010 to September 2011, HAMPTON deposited \$1,290,000 from
25 investors into Trading Account #1.

26

1 42. As of November 2011, Trading Account #1 had an ending balance of approximately
2 \$44,000.

3 **Trading Account #2**

4 43. In or around May 2011, to conduct the ETF trading Strategy, HAMPTON opened a
5 second securities trading account in the name of HCM with IB that permitted the trading of
6 options, forex, futures, and related securities products (Trading Account #2).

7 44. HAMPTON is the authorized trader on Trading Account #2, and managed and
8 controlled the funds. Investors do not have direct access to or control of Trading Account #2.

9 45. In May 2011, HCM deposited \$850,000 of investor funds into Trading Account #2.

10 46. In July 2011, HCM deposited \$160,000 of investor funds into Trading Account #2.

11 47. In August 2011, HCM deposited \$1,600,000 of investor funds into Trading Account
12 #2.

13 48. In September 2011, HCM deposited \$80,000 of investor funds into Trading Account
14 #2 and withdrew \$200,000 to HCM.

15 49. Between the periods of June 2011 to October 2011, HAMPTON incurred fees and
16 trading losses. The IB monthly statements reveal that the account net asset value changed by -
17 0.07%, -5.73%, 36.19%, -92% and -26.92%, respectively, on a month-to-month basis.

18 50. HAMPTON failed to disclose to investors that, in multiple preceding months, he
19 had already incurred trading losses and/or decreases in the net asset value as a result of his trading
20 Strategy.

21 51. Between May 2011 to October 2011, HAMPTON deposited \$2,705,000 from
22 investors into Trading Account #2.

23 52. As of November 2011, Trading Account #2 had an ending balance of approximately
24 \$63,000.

1 **Additional Allegations**

2 53. Between the periods of September 2010 to October 2011, approximately 72
3 investors entered into the Hedge Fund Investments for a total amount of at least \$4,741,332.

4 54. Investors also received monthly statements from HCM ("HCM Statements"). The
5 HCM Statements were signed by HAMPTON, as the managing director of HCM and included the
6 investors' initial investment deposit amount, the year-to-date distribution amount, and the income
7 accumulation amount for the month.

8 55. HAMPTON misrepresented to certain investors in their HCM Statements that their
9 investments accumulated a profit or earned interest on certain months and/or paid out alleged
10 profits to investors.

11 a) For example, an Arizona investor received monthly statements from the
12 periods of February 2011 to September 2011, reflecting a fixed amount of income
13 accumulation/profit of .83% (or 10% annualized return) for each month; however, HAMPTON
14 experienced trading losses and/or decreases in the net asset value in the IB trading accounts in
15 multiple months in that time period; and

16 b) In addition, between the periods of October 2010, to September 2011,
17 investors continued to receive their monthly profits and interest payments each month, even when
18 the Trading Account #1 and/or Trading Account #2 incurred losses and/or decreases in the net
19 asset value.

20 56. In October 2011, an Arizona resident and potential investor (the "AO") viewed all
21 the pages published on Respondents' Website from Arizona, including the Prospectus Page. The
22 AO also viewed and downloaded the Hedge Fund Investment Subscription Agreement.

23 57. The HCM Website was disabled in or around November 2011, shortly after service
24 of the Division's initial Temporary Order to Cease and Desist.

25 58. The Hedge Fund Investments have not been registered by the Commission as
26 securities to be offered and sold within or from Arizona.

1 **The Criminal Order**

2 59. On December 18, 2012, by a sealed complaint, a criminal action was instituted
3 against Mr. Hampton by the United States Attorney's Office in the United States District Court in
4 the Southern District of New York.

5 60. On April 19, 2013, in case no. 13-CR-301-RWS, Mr. Hampton waived prosecution
6 by indictment and consented to a proceeding by information instead. Filed concurrently therewith,
7 the information charges one count of commodities fraud in connection with Mr. Hampton's
8 investment scheme related to Hampton Capital Markets, LLC.

9 61. By consent to proceed before a United States Magistrate Judge on a felony plea
10 allocution, also entered on April 19, 2013, a criminal plea agreement was accepted by Mr.
11 Hampton.

12 62. On October 1, 2013, a criminal case judgment was filed in case no. 13-CR-301-RWS.
13 Mr. Hampton plead guilty to one count of commodities fraud in violation of 7 USC 61(1).
14 Pursuant to the criminal judgment, Mr. Hampton was sentenced to thirty (30) months of
15 imprisonment; upon release from imprisonment, he shall be on supervised release for three (3)
16 years; was ordered to pay restitution in the amount of \$4,879,627.98 for disbursement to the
17 victims identified by the government; and agreed to forfeit to the United States, any and all
18 property, real and personal, that constitutes or is derived from proceeds traceable from his crime.

19
20 **II.**

21 **CONCLUSIONS OF LAW**

22 1. The Commission has jurisdiction over this matter pursuant to Article XV of the
23 Arizona Constitution and the Securities Act.

24 2. Respondents offered or sold securities within or from Arizona, within the meaning
25 of A.R.S. §§ 44-1801(15), 44-1801(21), and 44-1801(26).
26

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

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

6 IT IS FURTHER ORDERED, that no finding of fact or conclusion of law contained in this
7 Order shall be deemed binding against any Respondent under this Docket Number who has not
8 consented to the entry of this Order.

9 IT IS FURTHER ORDERED, that Respondent Spouse STEPHANIE YAGER shall be
10 dismissed from this Docket No. S-20823A-11-0407.

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

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION

13
14 CHAIRMAN

COMMISSIONER

15
16 COMMISSIONER

COMMISSIONER

COMMISSIONER

17
18
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 _____, _____.

24 _____
25 JODI JERICH
26 EXECUTIVE DIRECTOR

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DISSENT

DISSENT

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

(PTH)

CONSENT TO ENTRY OF ORDER

1
2 1. Thomas L. Hampton and Hampton Capital Markets, LLC, (collectively
3 "Respondents") admit the jurisdiction of the Commission over the subject matter of this
4 proceeding. Respondents acknowledge that they have been fully advised of their right to a hearing
5 to present evidence and call witnesses and Respondents knowingly and voluntarily waive any and
6 all rights to a hearing before the Commission and all other rights otherwise available under Article
7 11 of the Securities Act and Title 14 of the Arizona Administrative Code. Respondent
8 acknowledges that this Order to Cease and Desist, For Administrative Penalties, and Consent to
9 Same ("Order") constitutes a valid final order of the Commission.

10 2. Respondents knowingly and voluntarily waive 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. Respondents acknowledge and agree 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. Respondents understand and acknowledge that Respondents have a right to seek
16 counsel regarding this Order, and that Respondents have had the opportunity to seek counsel prior
17 to signing this Order. Respondents acknowledge and agree that, despite the foregoing,
18 Respondents freely and voluntarily waive any and all right to consult or obtain counsel prior to
19 signing this Order.

20 5. Respondents Admit, only for purposes of this proceeding and any other proceeding
21 in which the Commission or any other agency of the state of Arizona is a party, the Findings of
22 Fact and Conclusions of Law contained in this Order. Respondents agree that Respondents shall
23 not contest the validity of the Findings of Fact and Conclusions of Law contained in this Order in
24 any present or future proceeding in which the Commission or any other state agency is a party
25 concerning the denial or issuance of any license or registration required by the state to engage in
26 the practice of any business or profession.

1 6. By consenting to the entry of this Order, Respondents agree not to take any action or
2 to make, or permit to be made, any public statement denying, directly or indirectly, any Finding of
3 Fact or Conclusion of Law in this Order or creating the impression that this Order is without factual
4 basis. Respondents will undertake steps necessary to assure that all of Respondents' agents and
5 employees understand and comply with this agreement.

6 7. While this Order settles this administrative matter between Respondents and the
7 Commission, Respondents understand that this Order does not preclude the Commission from
8 instituting other administrative or civil proceedings based on violations that are not addressed by
9 this Order.

10 8. Respondents understand that this Order does not preclude the Commission from
11 referring this matter to any governmental agency for administrative, civil, or criminal proceedings
12 that may be related to the matters addressed by this Order.

13 9. Respondents understand that this Order does not preclude any other agency or
14 officer of the state of Arizona or its subdivisions from instituting administrative, civil, or criminal
15 proceedings that may be related to matters addressed by this Order.

16 10. Respondents agree that Respondents will not apply to the state of Arizona for
17 registration as a securities dealer or salesman or for licensure as an investment adviser or
18 investment adviser representative until such time as all restitution and penalties under this Order are
19 paid in full.

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

23 12. Respondent agree that Respondents will continue to cooperate with the Securities
24 Division including, but not limited to, providing complete and accurate testimony at any hearing in
25 this matter and cooperating with the state of Arizona in any related investigation or any other
26 matters arising from the activities described in this Order.

1 13. Respondents consent to the entry of this Order and agree to be fully bound by its
2 terms and conditions.

3 14. Respondents acknowledge and understand that if Respondents fail to comply with
4 the provisions of the order and this consent, the Commission may bring further legal proceedings
5 against Respondents, including application to the superior court for an order of contempt.

6 15. Respondents understand that default shall render Respondents liable to the
7 Commission for its costs of collection and interest at the maximum legal rate.

8 16. Respondents agree and understand that if Respondents fail to make any payment as
9 required in the Order, any outstanding balance shall be in default and shall be immediately due and
10 payable without notice or demand. Respondents agree and understand that acceptance of any
11 partial or late payment by the Commission is not a waiver of default by the Commission.

12 17. Thomas L. Hampton represents that he is managing member of Hampton Capital
13 Markets, LLC and has been authorized by name of Hampton Capital Markets, LLC to enter into
14 this Order for and on behalf of it.

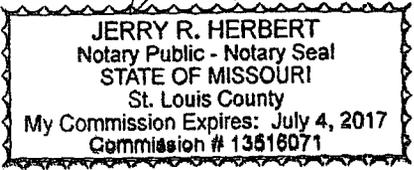

(Respondent Thomas L. Hampton)

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16
17
18 STATE OF ~~ARIZONA~~ ^{MISSOURI})
19 County of ~~ST. LOUIS~~) ss
20)

21 SUBSCRIBED AND SWORN TO BEFORE me this 12th day of NOVEMBER.


NOTARY PUBLIC

24 My commission expires:
25 7-4-2017
26



HAMPTON CAPITAL MARKETS, LLC

By: [Signature]

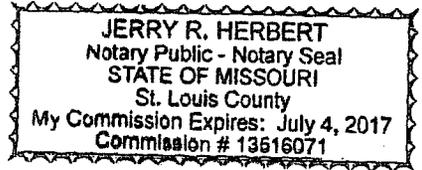
Its Managing Member Thomas Hampton

STATE OF ~~ARIZONA~~ ^{MISSOURI})
County of ~~ST. LOUIS~~) ss

SUBSCRIBED AND SWORN TO BEFORE me this 12th day of NOVEMBER.

[Signature]
NOTARY PUBLIC

My commission expires:
7-4-2017



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1 SERVICE LIST FOR: Thomas L. Hampton, et. al. Docket No. S-20823A-11-0407

2 Thomas Hampton and Hampton Capital Markets, LLC
3 9026 E. Calle De Las Brisas
4 Scottsdale, AZ 85255

5 Stephanie Yager
6 9026 E. Calle De Las Brisas
7 Scottsdale, AZ 85255

8 Mr. Timothy Moran and Ms. Patricia Moran
9 4545 E. Joshua Tree Lane
10 Scottsdale, AZ 85253

11 Michael D. Curran
12 3200 North Central Avenue
13 Suite 1800
14 Phoenix, Arizona 85012
15 Attorney for Patrick and Kelly Moran

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

In the matter of:)
THOMAS LAURENCE HAMPTON,)
CRD#2470192, and STEPHANIE YAGER,)
husband and wife,)
TIMOTHY D. MORAN, CRD#2326078, and)
PATRICIA MORAN, husband and wife,)
PATRICK MORAN, CRD#1496354, and KELLY)
MORAN, husband and wife,)
HAMPTON CAPITAL MARKETS, LLC, an)
Arizona limited liability company,)
Respondent.)

DOCKET NO S-20823A-11-0407

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

Pursuant to A.A.C. R14-4-303, you are hereby notified that the attached: Order to Cease and Desist, Order for Administrative Penalties, and Consent to Same by Respondents Thomas L. Hampton and Hampton Capital Markets, LLC and Order of Dismissal of Respondent Spouse Stephanie Yager, was filed with the Arizona Corporation Commission's Docket Control.

Dated: 12/5/13 By: *Quinn L. Priddy*

I hereby certify that I have this day served the foregoing document on all parties of record in this proceeding by mailing a copy thereof, properly addressed with first class postage prepaid to:
Thomas Hampton and Hampton Capital Markets, LLC
9026 E. Calle De Las Brisas
Scottsdale, AZ 85255

1 Stephanie Yager
2 9026 E. Calle De Las Brisas
3 Scottsdale, AZ 85255

3 Mr. Timothy Moran and Ms. Patricia Moran
4 4545 E. Joshua Tree Lane
5 Scottsdale, AZ 85253

5 Michael D. Curran
6 3200 North Central Avenue
7 Suite 1800
8 Phoenix, Arizona 85012
9 Attorney for Patrick and Kelly Moran

8 Dated: 12/3/13

By: *Gene L. Pridgen*

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