

STATE OF ALABAMA  
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF: )

FIRST TRUST COMPANY OF ONAGA, N.A. )

RESPONDENT )

ADMINISTRATIVE ORDER  
NO. OV-2005-0050

ORDER TO VACATE

The Alabama Securities Commission ("Commission"), having the power to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act, upon due consideration of the subject matter hereof, has determined as follows:

RESPONDENT

1. FIRST TRUST COMPANY OF ONAGA, N.A. ("ONAGA") is a Kansas company, with a business address of 301 Leonard Street, Onaga, Kansas, 66521-0420.

STATEMENT OF FACTS

2. While conducting an investigation into the sale of unregistered securities offered by HORIZON MEDICAL GROUP, INC., information was made available to the Commission that indicated ONAGA acted as a Broker/Dealer by affecting the purchase of securities, directly from the issuer, into a self-directed Individual Retirement Account held by ONAGA, on behalf of an Alabama resident.

3. A review of the files of the Alabama Securities Commission Registration Division disclosed no record of registration, nor exemption from registration for ONAGA as a Securities Agent or Dealer in the state of Alabama.

4. On November 8, 2005, a Cease and Desist Order was issued to RESPONDENT ONAGA for effecting securities transactions in the state of Alabama prior to registration as a dealer or agent in the state of Alabama.

5. By letter, dated December 9, 2005, counsel for ONAGA responded to the order, and provided sufficient evidence indicating the company was a registered trust company, and regulated by the Kansas Office of the State Bank Commissioner. The company, while acting in the capacity of a dealer, is excluded from the definition of a dealer at Section 8-6-2(3) a., Code of Alabama 1975. Therefore, the Company is not required to be registered as a dealer pursuant to Section 8-6-3, Code of Alabama 1975, to execute the transactions effected in the account of the Alabama resident.

6. Based upon good cause shown, the Cease and Desist Order, Administrative Order No. CD-2005-0050, as it relates to ONAGA, is hereby vacated.

Entered at Montgomery, Alabama, this 15<sup>th</sup> day of March, 2006.



ALABAMA SECURITIES COMMISSION  
770 Washington Avenue, Suite 570  
Montgomery, AL 36130-4700  
(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg", is written over a horizontal line. The signature is stylized and somewhat cursive.

JOSEPH P. BORG  
Director