



4. In August 2008, HAWKINS, as a Colonial Bank mortgage loan officer, met and engaged in conversation with an Alabama Resident. The Alabama Resident told HAWKINS they had \$5,000 and were looking for a short term investment opportunity. HAWKINS then verbally offered the Alabama Resident an investment opportunity in a personal business owned by HAWKINS.

5. HAWKINS represented to the Alabama Resident that the investment would be used by HAWKINS in his clothing business, INTERNATIONAL. HAWKINS stated he had a business contract with the Federal Government to provide clothing for Federal security personnel. The investment opportunity, as described by HAWKINS was a \$5,000 short term PROMISSORY NOTE and the Alabama Resident would receive a return of \$5,500 in one month.

6. HAWKINS did not disclose to the Alabama Resident that he filed bankruptcy with the United States Bankruptcy Court Middle District of Alabama on June 11, 2008. Alabama Resident was not aware of the bankruptcy when the investment was made. When the PROMISSORY NOTE became due, HAWKINS failed to repay any funds to the Alabama Resident.

7. A review of the files of the Registration Division of the Alabama Securities Commission was conducted on May 26, 2009, disclosing no record of registration or any perfected exemption for the securities offered by HAWKINS.

8. A review of the files of the Registration Division of the Alabama Securities Commission was conducted on May 26, 2009, disclosing no record of registration for HAWKINS as a broker dealer agent, investment advisor, or investment advisor representative in the state of Alabama.

9. A review of the files of the Registration Division of the Alabama Securities Commission was conducted on June 29, 2009, disclosing no record of registration for INTERNATIONAL as a broker dealer or investment advisor in the state of Alabama.

## CONCLUSIONS OF LAW

10. Pursuant to Section 8-6-2(10), Code of Alabama 1975, the definition of security includes any note. The investment made by the Alabama Resident was evidenced by a PROMISSORY NOTE and is therefore a security under the Act.

11. Pursuant to Section 8-6-2(2), Code of Alabama 1975, an agent is any individual other than a dealer who represents a dealer or issuer in effecting or attempting to effect sales of securities. HAWKINS actions, as described herein, establish that HAWKINS acted as agent of INTERNATIONAL in the offer or sale of a security as set forth in the Act.

12. Pursuant to Section 8-6-3(a), Code of Alabama 1975, it is unlawful for a person to transact business in this state as a dealer or agent for securities unless such person is registered under the Act. HAWKINS and INTERNATIONAL are not registered as an agent or broker dealer in the state of Alabama. HAWKINS and INTERNATIONAL have effected a securities transaction with an Alabama Resident in violation of the Act.

13. Pursuant to Section 8-6-4, Code of Alabama 1975, "It is unlawful for any person to offer or sell any security in this state unless: It is registered under this article; The security is exempt from registration under section 8-6-10; or The transaction is exempt under section 8-6-11." The securities offered by **RESPONDENTS**, to wit: A PROMISSORY NOTE was neither registered nor exempt from registration in violation of the Act.

This Order is appropriate in the public interest for the protection of investors and consistent with the purposes of the Alabama Securities Act.

This Order does not prevent the Commission from seeking such other civil or criminal remedies that may be available to it under the Alabama Securities Act.

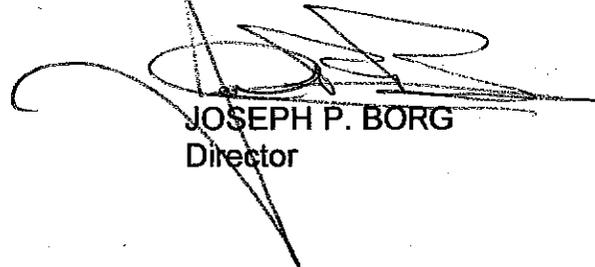
Additionally, if the allegations set forth herein are found to be true, through either administrative adjudication, failure of the RESPONDENTS to make a timely request for hearing, or default of the respondents, it is the intention of the Commission to impose sanctions upon the RESPONDENTS. Such sanctions may include, inter alia, an administrative assessment imposed on RESPONDENTS, an additional administrative assessment for investigative costs arising from the investigation of the violation(s) described herein against RESPONDENTS, and a permanent order to bar RESPONDENTS from participation in any securities related industry in the state of Alabama.

**ACCORDINGLY, IT IS HEREBY ORDERED** that RESPONDENTS immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, AL, this 13<sup>th</sup> day of July, 2009.



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

  
JOSEPH P. BORG  
Director