

**STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT**

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**IN THE MATTER OF:**

**Dragolijub Giljen; AKA  
Daniel Giljen, Dan Giljen**

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) **File Number: 0900219**  
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**ORDER OF PROHIBITION**

**TO RESPONDENT:** Dragolijub Giljen  
1644 N. Damen Ave.  
Apt. 200  
Chicago, Illinois 60647

WHEREAS, the above-captioned matter came on to be heard on June 23, 2010, pursuant to the Notice of Hearing dated July 7, 2009, FILED BY Petitioner Secretary of State, and the record of the matter under the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") has been reviewed by the Secretary of State or his duly authorized representative.

WHEREAS, the rulings of the Hearing Officer on the admission of evidence and all motions are deemed to be proper and are hereby concurred with by the Secretary of State.

WHEREAS, the proposed Findings of Fact, Conclusions of Law and Recommendations of the Hearing Officer, Soula Spyropoulos, Esq., in the above-captioned matter have been read and examined.

WHEREAS, the following proposed Findings of Fact of the Hearing Officer are hereby adopted as the Findings of Fact of the Secretary of State:

1. The Department served Respondent with the Notice of Hearing dated July 7, 2009 ("Notice of Hearing").
2. Respondent failed to appear at the hearing on June 23, 2010.
3. Respondent's attorney having filed a Motion to Withdraw, was granted his Motion and allowed to withdraw *instanter* and it was determination was made that Respondent was provided with due notice of the Motion to Withdraw.

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4. Due notice having been given to the Respondent and Respondent having failed to appear, the Department was allowed to proceed to a Default Hearing.
5. Because the Respondent failed to appear at the time and place set for hearing, in accordance with Section 130.1109, he:
  - (a) waived his right to present evidence, argue, object or cross examine witnesses; or
  - (b) otherwise participate at the hearing.
6. Respondent was not registered with the Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act, nor was the security registered with the Secretary of State.
6. Respondent offered and sold to Illinois Residents, Notes, including Installment Notes and Promissory Notes (Notes).
7. The Notes offered and sold to the Illinois residents by Respondent promised interest rates between twenty seven (27) percent to thirty (30) percent interest with varying maturities.
8. The activities described above constitute the offer and sale of a Note and therefore a security as those terms are defined in Sections 2.1, 2.5, and 2.5a of the Illinois Securities Law of 1953 [815 ILCS 5/1 *et. seq.*] (the "Act").
9. Section 5 of the Act provides, *inter alia*, that all securities except those exempt under Section 3 or those offered or sold in transactions exempt under Section 4 "shall be registered either by coordination or by qualification prior . . . to their offer or sale" in the State of Illinois.
10. Respondent failed to file with the Secretary of State an application for registration of the securities described above as required by the Act and, as a result, the security was not registered pursuant to Section 5 of the Act prior to its offer in the State of Illinois.
11. Section 12.A of the Act provides, *inter alia*, that it shall be a violation for any person "to offer or sell any security except in accordance with the provisions of the Act."
12. Section 12.D of the Act provides, *inter alia*, that it shall be a violation for any person "to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act."
13. By virtue of the foregoing, Respondents violated Sections 12.A and 12.D of the Act.

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15. Through the conduct described above, the respondent acted as a dealer and/or salesperson for the sale of copious promissory notes to investors.
16. That 12.C of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to act as a dealer, salesperson, investment advisor, or investment advisor representative, unless registered such, where such registration is required under this Act.
17. That at all relevant times, the Respondent was not registered as a dealer and/or salesperson under the Act.
18. That by acting as a salesperson and/or dealer in the State of Illinois, without being registered as such, Respondent violated section 12.C of the Act.
19. That Section 11.E(2) of the Act provides, inter alia, if the Secretary of State shall find that any Secretary of State shall find that any person has violated subsection D of Section 12 of this Act, the Secretary of State may by written order permanently prohibit the person from offering or selling any securities in this State.

WHEREAS, the following proposed Conclusions of Law made by the Hearing Officer are correct and are hereby adopted as the Conclusions of Law of the Secretary of State:

1. Respondent has committed a violation of Section 12.A, and 12.D of the Act by failing to register the security with the Illinois Secretary of State Securities Department
2. Respondent has committed a violation of Section 12.C the Act, by offering and selling securities without being registered as a salesperson thereby committing a violation of Section 12.D of the Act.
3. Because of the Findings of this Order and Exhibits admitted as Secretary of State Group Exhibit Numbers. 1-3, The Respondents are subject to the entry of a final written Order that permanently prohibits the Respondents pursuant to Sections 11.E(2) and 11.E(3) of the Act from offering or selling securities in the State of Illinois, imposes a fine pursuant to Section 11.E(4) of the Act not to exceed \$10,000.00 for each violation of the act, and grants such other relief as may be authorized under the Act.

NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

1. The Respondent shall be PROHIBITED from offering and selling securities in compliance with the Illinois Securities Law of 1953.

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2. The Department shall retain jurisdiction over this proceeding for the sole purpose of enforcing the terms and provisions of the Stipulation herein.
3. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED: This 28<sup>th</sup> day of February, 2011



JESSE WHITE  
Secretary of State  
State of Illinois

NOTICE: Failure to comply with the terms of this Order shall be a violation of the Section 12.D of the Act. Any person or entity who fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of the Order, shall be guilty of a Class 4 Felony.

This is a final order subject to administrative review pursuant to the Administrative Review Law, {735 ILCS 5/3-101 et seq.} and the Rules and Regulations of the Illinois Securities Act, {14 Ill. Admin. Code Ch. I, Section 130.1123}. Any action for Judicial Review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

Attorney for the Secretary of State:

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