

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

IN THE MATTER OF:)	
CRAIG GUTOWSKY,)	
d/b/a CMG TRADING CONSULTANTS,)	No 0800553
their partners, officers and directors,)	
agents, employees, affiliates, successors and assigns.)	
)	

TEMPORARY ORDER OF PROHIBITION

TO RESPONDENT: **Craig Gutowsky**
 d/b/a CMG Trading Consultants
 19 Montclair Court
 Cary, Illinois 60013

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find :

1. Respondent Craig Gutowsky (hereinafter at times "Gutowsky" or "Respondent") has a last known address of 19 Montclair Court, Cary, Illinois 60013.
2. Respondent Gutowsky, at all relevant times herein, was doing business as CMG Trading Consultants ("CMG").
3. Gutowsky was the sole controlling representative and employee of CMG.
4. Between February 2008 and October 2008 Gutowsky offered to at least three Illinois residents ("Investors") the opportunity to invest money in Gutowsky's trading enterprise, CMG.
5. Gutowsky told the Investors that he was a proficient "securities trader" who would trade on behalf of Investors, and Investors would earn 10% per month on their investments.
6. Between February and October 2008 Investors delivered to Respondent checks and cash totaling approximately \$180,000 ("Investments") and in return Respondent promised that he would trade on behalf of Investors under the terms set forth above.
7. The activities described above in paragraphs 4-6 constitute the offer and sale of investment contracts, and therefore a security as those terms are defined in

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Sections 2.1, 2.5 and 2.5a of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act").

FRAUD

8. Respondent did not trade securities as he promised Investors or pay the Investors the amounts due them (Respondent made one payment of \$2000 to one Investor) according to the terms of the investment contract, but instead placed the Investments into his own account, and converted the funds to his own use and benefit.
9. Respondent failed and refused to notify Investors that he was converting the Investments to his own use and benefit, instead of using them for the business purpose of trading in securities.
10. Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person, "to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof".
11. Section 12.G of the Act provides, *inter alia*, that it shall be a violation of the Act for any person, "to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading".
12. Section 12.I of the Act provides, *inter alia*, that it shall be a violation of the Act for any person, "to employ any device, scheme or artifice, to defraud in connection with the sale or purchase of any security, directly or indirectly".
13. By virtue of the foregoing, Respondent violated Sections 12.F, 12.G and 12.I of the Act and will violate them again if he makes further offers, or if he makes any sales of investment contracts or other securities described above in the State of Illinois.
14. The aforementioned findings are based upon credible evidence.
15. Section 11.F(2) of the Act provides, *inter alia*, that the Secretary of State may temporarily prohibit the offer or sale of securities by any person, without notice and prior hearing, if the Secretary of State shall deem it necessary to prevent an imminent violation of the Act or to prevent losses to investors that will occur as a result of prior violations of the Act.
16. The entry of this Temporary Order of Prohibition prohibiting Respondent **Craig Gutowsky** or his partners, officers and directors, agents, affiliates, successors and employees, from offering or selling securities in the State of Illinois is in the public interest and for the protection of the investing public and is consistent with the purposes intended by the provisions of the Act.

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NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondent **Craig Gutowsky** (individually and doing business as CMG Trading Consultants) his partners, officers and directors, agents, employees, affiliates, successors and assigns are Temporarily **Prohibited** from offering or selling securities in or from this State until the further Order of the Secretary of State.

NOTICE is hereby given that Respondents may request a hearing on this matter by transmitting such request in writing to the Director, Illinois Securities Department, 69 West Washington Street, Suite 1220, Chicago, Illinois 60602. Such request must be made within thirty (30) calendar days of the date of entry of the Temporary Order of Prohibition. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable. A request for hearing will not stop the effectiveness of this Temporary Order of Prohibition and will extend the effectiveness of this Temporary Order of Prohibition for sixty (60) days from the date the hearing request is received by the Department.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION FINAL.

Dated: This 28th day of September 2010.



JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State:

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