

STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT

IN THE MATTER OF: Brian M. Uselding) File No. 1200445
)

NOTICE OF HEARING

TO THE RESPONDENT: Bryan M. Uselding
Liberty Partners Capital Management, LLC
1815 S. Meyers, Suite 210
Oakbrook Terrace, IL 60181

You are hereby notified that pursuant to Section 11.F. of the Illinois Securities Law of 1953, [815 ILCS 5/1 et seq.,] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 300 W. Jefferson Avenue, Suite 300A, Springfield, Illinois, 62702, on the 25th day of March, 2013 at the hour of 10:00 a.m. or as soon thereafter as counsel may be heard, before Jon K. Ellis or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order should be entered against (the "Respondent") prohibiting the Respondent from acting as an investment adviser representative in the State of Illinois and/or granting any such other relief as may be authorized under the Act, including but not limited to, imposition of a monetary fine in the maximum amount of \$10,000 per violation, pursuant to Section 11 of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

Failure to Register as Investment Adviser Representative (12.C)

1. That, on or about, November 16, 2011, Respondent's registration as an investment adviser representative in the State of Illinois was terminated due to an office closure.
2. That Respondent then became an employee of Alpha Wealth Group which maintained a business address of 2 Mid America Plaza, Suite 800, Oakbrook Terrace, Illinois 60181.
3. That, on or about, August 21, 2012, the Illinois Securities Department (the "Department") initiated an audit and examination of Alpha Wealth Group.
4. That, during and subsequent to the audit and investigation, the Department discovered that the

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Respondent, while employed by Alpha Wealth Group, had engaged in the business of advising Illinois residents as to the value of securities or as to the advisability of investing or selling securities.

5. That, during the audit and investigation, the Department discovered that the Respondent was not a registered investment adviser representative and informed Respondent of the lack of registration.
6. That, on or about August 21, 2012, Respondent filed with the Secretary of State an application for registration as an investment adviser representative in the State of Illinois and paid the applicable fee.
7. That the activities discussed in paragraph four (4) above constitute the activities of an investment adviser representative as that term is defined pursuant to Section 2.12b of the Act.
8. That Section 8 of the Act provides, inter alia, that, except as otherwise provided, every investment adviser representative shall be registered as such with the Secretary of State.
9. That Section 12.C of the Act provides, inter alia, that it shall be a violation of the Act for any person to act as an investment adviser representative unless registered as such, where such registration is required under the provisions of the Act.
10. That, at all times relevant hereto, the Respondent was an unregistered investment adviser representative under Section 8 of the Act.
11. That, by virtue of the foregoing, Respondent has violated Section 12.C of the Act.
12. That Section 8.E(1)(g) of the Act provides, inter alia, that registration of an investment adviser representative may be denied if such investment adviser representative has violated any of the provisions of the Act.
13. That Section 11.E 4 of the Act provides, inter alia, that the Secretary of State, after finding that any provision of the Act has been violated, may impose a fine, as provided by rule, regulation, or order not to

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exceed \$10,000, for each violation of this Act and may issue an order of public censure against the violator.


14. That, by virtue of the foregoing, the Respondent is subject to an order which denies Respondent's registration as an investment adviser representative in the State of Illinois and a fine of up to \$10,000 per violation.

You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations of (14 Ill. Adm. Code 130.100 et seq.) (the "Rules") to file an answer to the allegations outlined above or a Special Appearance pursuant to Section 130.1107 of the Rules, or other responsive pleading within 30 days of the receipt of this notice. Your failure to do so within the prescribed time shall be deemed an admission of the allegations contained in the Notice of Hearing and waives your right to a hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default.

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

ENTERED: This ^{16th} day of *January*, 2013

Jesse White 

Jesse White
Secretary of State
State of Illinois

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