

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

\_\_\_\_\_) )  
IN THE MATTER OF: EVAN K. DAVIS ) ) FILE NO. 0700248  
\_\_\_\_\_) )

**CONSENT ORDER OF WITHDRAWAL**

TO THE RESPONDENT: Evan K. Davis  
(CRD#: 2995789)  
5103 Parkwood Oaks Lane  
Mableton, Georgia 30126

Evan K. Davis  
c/o Morgan Keegan & Company  
Fifty Front Street  
Morgan Keegan Tower  
Memphis, TN 38103-9980

Alan M. Wolper  
Lord, Bissell & Brook LLP  
The Proscenium, Suite 1900  
1170 Peachtree Street NE  
Atlanta, GA 30309

WHEREAS, Respondent on the 14<sup>th</sup> day of December 2007 executed a certain Stipulation to Enter Consent Order of Withdrawal (the "Stipulation"), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, Respondent has admitted to the jurisdiction of the Secretary of State and service of the Notice of Hearing of the Secretary of State, Securities Department, dated November 5, 2007 in this proceeding (the "Notice") and Respondent has consented to the entry of this Consent Order of Withdrawal ("Consent Order").

WHEREAS, by means of the Stipulation, the Respondent acknowledged, without admitting or denying the truth thereof, that the following allegations contained in the Notice of Hearing shall be adopted as the Secretary of State's Findings of Fact:

Consent Order of Withdrawal

1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act.
2. That on April 26, 2007, NASD [now known as FINRA] entered a Letter Of Acceptance, Waiver And Consent (AWC) submitted by the Respondent regarding File No. 2006007384001 which sanctioned the Respondent as follows:
  - a. A ten (10) business day suspension from any association with any member of NASD in any capacity; and
  - b. fine in the amount of \$7,500.
3. That the AWC found:
  - a. While associated with Morgan Stanley, Davis executed the following transactions in the account of a customer without her prior knowledge, authorization or consent:

Trade Date	Buy/Sell	Quantity	Description	Price	Amount
January 24, 2005	Buy	40,000	General Motors Bond 7.200% 01/15/11	\$102.83755	\$41,236.01
November 18, 2005	Sell	40,000	General Motors Bond 7.200% 01/15/11	\$70.87425	\$29,373.69

- b. Such acts, practice and conduct set forth above constitute separate and distinct violations of NASD Conduct Rule 2110 and IM-2310-2 by the Respondent.
4. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson may be revoked if the Secretary of State finds that such Salesperson or investment adviser representative has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
5. That NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.
6. That the Respondent's registrations as a salesperson in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.

Consent Order of Withdrawal

3

WHEREAS, by means of the Stipulation Respondent has acknowledged, without admitting or denying the averments, that the following shall be adopted as the Secretary of State's Conclusion of Law:

The Respondent's registrations as a salesperson in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he shall cause to have his registration as a salesperson in the State of Illinois withdrawn within three (3) days from the entry of this Consent Order and will not re-apply for registration for a period of twenty-four (24) months from the entry of this Consent Order.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he shall be levied costs incurred during the investigation of this matter in the amount of One Thousand Five Hundred Dollars (\$1,500.00). Said amount is to be paid by certified or cashier's check, made payable to the Office of the Secretary of State, Securities Audit and Enforcement Fund.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he has submitted with the Stipulation a certified or cashier's check in the amount of One Thousand Five Hundred Dollars (\$1,500.00) to cover costs incurred during the investigation of this matter. Said check has been made payable to the Office of the Secretary of State, Securities Audit and Enforcement Fund.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has determined that the matter related to the aforesaid formal hearing may be dismissed without further proceedings.

NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

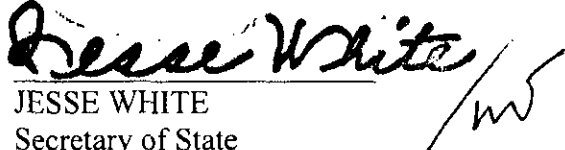
1. The Respondent shall cause to have his registration as a salesperson in the State of Illinois withdrawn within three (3) days from the entry of this Consent Order and will not re-apply for registration for a period of twenty-four (24) months from the entry of this Consent Order.
2. The Respondent is levied costs of investigation in this matter in the amount of One Thousand Five Hundred Dollars (\$1,500.00), payable to the Office of the Secretary of State, Securities Audit and Enforcement Fund, and on December 18, 2007 has submitted One Thousand Five Hundred Dollars (\$1,500.00) in payment thereof.

Consent Order of Withdrawal

4

3. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED This 20<sup>th</sup> day of December, 2007.

  
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.