

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

\_\_\_\_\_  
IN THE MATTER OF: JOHN F. TYUS )  
\_\_\_\_\_)

FILE NO. 0600553

**ORDER OF REVOCATION**

TO THE RESPONDENT: John F. Tyus (CRD#: 1475677)  
599 Eastern Parkway  
Brooklyn, New York 11216

C/o Bishop, Rosen & Co., Inc.  
100 Broadway  
New York, New York 10005

WHEREAS, the above-captioned matter came on to be heard on October 3, 2007, pursuant to the Notice of Hearing dated February 9, 2007, 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 Office, George Berbas, Esq., in the above-captioned matter have been read and examined.

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

1. The Department served Respondent with the Notice of Hearing on August 17, 2007.
2. Respondent failed to appear either by himself or through his attorney at the Hearing on October 3, 2007, and also failed to respond or otherwise answer the allegations in the complaint.

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3. Due notice having been given to the Respondent, and Respondent having failed to appear, the Department was allowed to proceed to a Default Hearing.
4. At all relevant times Mr. John F. Tyus was registered with the Secretary of State as a Salesperson in the State of Illinois pursuant to Section 8 of the Act.
5. On July 20, 2006, NASD entered a Letter of Acceptance, Waiver and consent (AWC) regarding File No. 2005003253401 suspending Respondent as a Salesperson, and from associating with any NASD member firm in any capacity.

WHEREAS, the Secretary of State makes the following additional Findings of Fact which (1) were alleged in the Notice of Hearing and deemed admitted due to Respondent's failure to answer or appear, and (2) proved up at the Hearing:

6. The AWC found that on or about December 27, 2004 and on or about March 18, 2005, the Respondent, while registered with member firm Greenwich (his employing dealer), borrowed a total of \$30,000 from a customer without first obtaining written approval from Greenwich. This conduct constitutes separate and distinct violations of NASD Conduct Rules 2370 and 2110.
7. 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 has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
8. NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.
9. The Respondent's registration as a Salesperson in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.

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

1. The Department properly served the Notice of Hearing on Respondent on August 17, 2007.
2. The Secretary of State has jurisdiction over the subject matter hereof pursuant to the Act.

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3. Respondent failed to answer or otherwise appear at the hearing in accordance with Section 130.1104, therefore,
  - a. The allegations contained in the Notice of Hearing are deemed admitted;
  - b. Respondent waived his right to a hearing.
  - c. Respondent is subject to an order of Default.
4. 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.
5. On July 20, 2006, NASD entered a Letter of Acceptance, Waiver and Consent (AWC) regarding File No. 2005003253401 suspending Respondent as a Salesperson, and from associating with any NASD member firm in any capacity.
6. The Department proved the allegations contained in the complaint in the Default prove-up hearing on October 3, 2007.

WHEREAS, the Secretary of State finds the following proposed Conclusions of Law of the Hearing Officer are incorrect with respect to this matter and rejects them in their entirety:

7. Section 8.E(1)(g) of the Act provides that the registration of a Salesperson may be revoked if he has violated any of the provisions of this Act.
8. By virtue of the foregoing, the Respondent's registration as an Investment Advisor Representative in the State of Illinois subject to revocation pursuant to Section 8.E(1)(g) of the Act.

WHEREAS, the Secretary of State makes the following additional conclusions of Law, which were (1) deemed admitted, and (2) proved up at the Hearing:

9. Section 8.E(1)(j) of the Act provided, *inter alia*, that the registration of a Salesperson may be revoked if the Secretary of State finds that such Salesperson has been suspended by any self-regulatory organization registered under the Federal 1934 Act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.

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

WHEREAS, the Hearing Officer recommended that the Secretary of State should REVOKE the Respondent John F. Tyus' registration as a Salesperson in the State of Illinois, and the Secretary of State adopts in its entirety the Recommendation made by the Hearing Officer, and modifies it in accord with the additional Findings of Fact and the Conclusions of Law that Respondent John F. Tyus' registration as a salesperson in the State of Illinois is subject to Revocation.

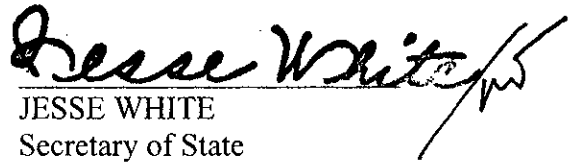
NOW THEREFORE, IT SHALL BE AND IS HEREBY ORDERED:

1. Respondent John F. Tyus' registration as a Salesperson in the State of Illinois is REVOKED pursuant to the authority provided under Section 8.E(1)(j) of the Act.
2. This matter is concluded without further proceedings.

*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.*

ENTERED THIS 14<sup>th</sup> day of December, 2007

  
JESSE WHITE  
Secretary of State  
State of Illinois