

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

\_\_\_\_\_  
IN THE MATTER OF: KEVIN D. WELLS )  
\_\_\_\_\_) )

FILE NO. 0600465

CONSENT ORDER OF WITHDRAWAL OF APPLICATION

TO THE RESPONDENT: Kevin D. Wells (CRD#: 4180930)  
419 Court North Drive  
Melville, New York 11747

C/o Brett D. Zinner  
Attorney at Law New Castle Financial Group,  
Inc. 535 Broad Hollow Road  
Second Floor Suite B-51  
Melville, New York 11747

WHEREAS, Respondent on the 20<sup>th</sup> day of December 2006 executed a certain Stipulation to Enter Consent Order of Withdrawal of Application (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 December 4, 2006 in this proceeding (the "Amended Notice") and Respondent has consented to the entry of this Consent Order of Withdrawal of Application "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:

1. That on July 31, 2006 New Castle Financial Group, Inc., a registered dealer, filed a Form U-4 application for registration of the Respondent as a salesperson in the State of Illinois.
2. That on November 3, 2006, a Summary Order of Denial (the "Order") was issued by The Secretary of State denying this application. Pursuant to the terms of the Order, on November 29, 2006 the Respondent requested a hearing.

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3. That on December 9, 2005, the State of North Dakota entered an Order which revoked the agent registration of the Respondent in the case "STATE OF NORTH DAKOTA COUNTY OF BURLEIGH BEFORE THE SECURITIES COMMISSIONER IN THE MATTER OF KEVIN DAVID WELLS -Respondent".
4. That the Order found: On November 14, 2005, the North Dakota Securities Commissioner issued an Order titled "Order for Summary Suspension of the Agent Registration of Kevin David Wells, Proposed Order to Revoke the Agent Registration of Kevin David Wells, and Notice of Right to Request a Hearing". The Respondent received this Order on November 21, 2005. The Respondent did not request a hearing, and his right to request a hearing has expired. The Securities Commissioner has found that the Respondent engaged in multiple violations of the Securities Act and that the Respondent has engaged in unethical or deceptive practices as defined by applicable administrative rules. These acts and practices are sufficient grounds to revoke the agent registration of the respondent.

NOW, THEREFORE, the North Dakota Securities Commissioner hereby orders that the agent registration of Kevin David Wells is hereby revoked.

5. That Section 8.E(1)(k) of the Act provides, *inter alia* that the registration of a salesperson may be denied if the Secretary of State finds that such salesperson has any order entered against him after notice and opportunity for a hearing by a securities agency of any State arising from any fraudulent or deceptive act or a practice in violation of any statute, rule, or regulation administered or promulgated by the agency.
6. That the Respondent had notice and opportunity to contest the matters in controversy with the State of North Dakota, but chose not to do so.

WHEREAS, by means of the Stipulation Respondent has -

That by virtue of the foregoing, the Respondent's application for registration as a salesperson in the State of Illinois is subject to denial pursuant to Section 8.E(1)(k) of the Act.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he shall cause to have his application for 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 two (2) years from the entry of this Consent Order.

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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, Illinois Audit and Enforcement Fund.

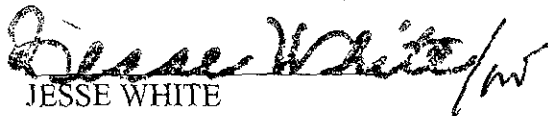
WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he has submitted with the Stipulation a certified or cashier's check in the amount of One Thousand Five Hundred dollars (\$1,500.00) to cover costs incurred during the investigation of this matter. Said check has been made payable to the Office of the Secretary of State, Illinois 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 application for 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 two (2) years 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, Illinois Audit and Enforcement Fund, and on December 20, 2006 has submitted One Thousand Five Hundred dollars (\$1,500.00) in payment thereof.
3. The Summary Order of Denial entered on November 3, 2006 shall be vacated.
4. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED This 21st day of December 2006.



JESSE WHITE  
Secretary of State  
State of Illinois