

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

IN THE MATTER OF: BENJAMIN J. HARELICK

FILE NO. 0400520

CONSENT ORDER OF WITHDRAWAL

**TO RESPONDENT:**

Benjamin J. Harellick  
(CRD#: 3063646)  
6202 Cenrose Circle  
Westwood, New Jersey 07675

C/o Trade Manage Capital, Inc.  
299 Market Street  
Saddlebrook, New Jersey 07663

C/o Jean P. Hanna  
Attorney at Law  
McCausland Keen & Buckman  
Radnor Court, Suite 160  
259 North Radnor – Chester Road  
Radnor, Pennsylvania 19087

WHEREAS, Respondent on the 5th day of January 2006 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 October 12, 2005 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:

1. 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. On July 21, 2004 NASD entered a Letter of Acceptance, Waiver and Consent (AWC) submitted by the Respondent regarding File No. C11040029 which sanctioned the Respondent as follows:
  - a. suspended from association with any member firm in any capacity for thirty (30) calendar days; and
  - b. fined \$5,000.
3. The AWC found that on or about September 5, 2003, the Respondent signed a customer's signature to various annuity and insurance product transfer forms. The conduct described above was in violation of NASD Conduct Rule 2110.
4. 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.
5. NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.

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:

By virtue of the foregoing, 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, 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 shall not re-apply for registration for a period of two (2) years 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, Investors Education Fund.

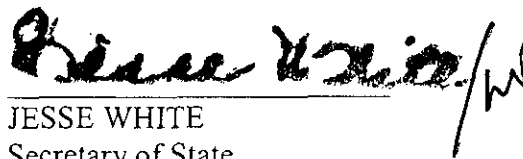
WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he has submitted with the Stipulation a certified or cashier's check in the amount of One Thousand Five Hundred dollars (\$1,500.00) to cover costs incurred during the investigation of this matter. Said check has been made payable to the Office of the Secretary of State, Investors Education 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 shall 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, investors education fund, and on January 5, 2006 has submitted One Thousand Five Hundred dollars (\$1,500.00) in payment thereof.
3. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED: This 12<sup>th</sup> day of January 2006

  
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JESSE WHITE  
Secretary of State  
State of Illinois