

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

\_\_\_\_\_  
IN THE MATTER OF: DAVID J. HACKNEY )  
CRD # 2301416 )  
\_\_\_\_\_

No. C1400117

**CONSENT ORDER**

**TO THE RESPONDENT: DAVID J. HACKNEY  
10813 W. Camelot Circle  
Sun City, AZ 85351**

WHEREAS, David J. Hackney, by and through its duly authorized representative, on the 8th day of June, 2015, executed a certain Stipulation to Enter Consent Order (“the Stipulation”), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, David J. Hackney has admitted to the jurisdiction of the Secretary of State, Securities Department, and has consented to the entry of this Consent Order.

WHEREAS, by means of the Stipulation, David J. Hackney acknowledges, without admitting nor denying the substance thereof, that the Secretary of State makes the following Findings of Facts:

1. Respondent David J. Hackney (“Hackney”) was a resident of Illinois with a last known Illinois address of 206 West Division Street, unit 2R, in Chicago.
2. From March 2006 through February 7, 2014, Hackney was a representative for LPL Financial, LLC. (“LPL”), a Broker/Dealer and Investment Advisor registered with Illinois through coordination with the Securities Exchange Commission.
3. Hackney held Illinois registrations as a securities salesperson and as an investment advisor representative.
4. On February 7, 2014, LPL terminated Hackney’s employment with the firm due to allegations of Hackney having effected a high trading volume and frequency in at least three LPL customer accounts during 2012 through 2013.

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5. In March of 2014, the Illinois Securities Department issued a Temporary Order of Revocation and Suspension against Hackney, of which he requested a hearing on the merits.
6. Hackney effected excessive trades in the LPL brokerage account of two Illinois senior citizens during 2012 through to his termination with LPL in 2014.
7. Hackney effected excessive trades in the LPL brokerage account of an Indiana senior citizen during 2012 through to his termination with LPL in 2014.
8. Hackney effected excessive trades in the LPL brokerage account of a Maryland resident from 2012 through early 2013, when that customer closed his brokerage account.
9. LPL paid restitution to the above-referenced customers totaling \$394,000.00.
10. In May of 2014, the Financial Industry Regulatory Industry ("FINRA"), a private corporation that serves as a self-regulatory organization for the securities industry and of which registered brokers and dealers are members, issued an "Intent to Suspend Letter" against Hackney which became a permanent bar for Hackney to be associated with any of FINRA's members in any capacity due to his failure to respond thereto.

WHEREAS, by means of the Stipulation, David J. Hackney acknowledges, without admitting or denying the truth thereof, that the following shall be adopted as the Secretary of State's Conclusions of Law:

1. Section 12.A of the Illinois Securities Law of 1953, (815 ILCS 5/1 *et seq.*)(The "Act") states that it shall be a violation of the provisions of the Act to offer or sell any security except in accordance with the provisions of this Act.
2. Section 12.F of the Act states that it shall be a violation of the provisions of this Act for any person to, "engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof."
3. Section 11E.(2) of the Act states in pertinent part that should the Secretary of State find that any person has violated subsection F or subsection G of Section 12 of the Act the Secretary of State may by written order permanently prohibit the person from offering or selling any securities in Illinois.
4. Section 130.850 of the Rules and Regulations under the Illinois Securities Law of 1953 (the "Rules") states in pertinent part that no dealer or salesperson shall effect transactions for any customer's account which are excessive in size or frequency or unsuitable in view of the financial resources of the customer.

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5. Section 8.E(1)(g) of the Act states in pertinent part that the registrations of a salesperson of securities or an investment advisor representative may be suspended or revoked if that registrant has violated any of the provisions of the Act.
6. David J. Hackney violated Sections 12.A and F of the Illinois Securities Law of 1953 and Section 130.850 of the Rules.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. David J. Hackney's Illinois registrations as a salesperson of securities and as an investment advisor representative are suspended and revoked as of February 7, 2014.
2. David J. Hackney is permanently prohibited from offering or selling securities in Illinois.

Dated: This 23<sup>rd</sup> day of June, 2015.

**Attorney for the Secretary of State:  
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**JESSE WHITE  
Secretary of State  
State of Illinois**