

**BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF KANSAS**

In the matter of:)	
)	
)	
James Norris Holland, Jr.,)	Docket No. 08 E 012
)	KSC No. 2007-5272
)	
Respondent.)	
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A proceeding pursuant to K.S.A. 17-1266a and Kansas Uniform Securities Act, K.S.A. 17-12a604(a)		

STIPULATION FOR CONSENT ORDER

This proceeding follows an investigation conducted by the Office of the Securities Commissioner of Kansas. As a result of this investigation, the staff makes the following allegations.

ALLEGATIONS OF FACT

1. Respondent James Norris Holland, Jr. is an individual with a mailing address of [REDACTED].
2. That on or about and between September 9, 2000, and August 19, 2002, Respondent James Norris Holland, Jr. sold shares of Solomon James Sports, Inc. (“SJS”) to five Kansas investors in seven transactions.
3. That Respondent James Norris Holland, Jr. sold the shares of SJS for \$1,000 per share in three transactions on or about and before September 19, 2000, and for \$2,000 per share in four transactions after September 19, 2000.
4. That in at least two of the four transactions for \$2,000 per share, the investors represent that Respondent James Norris Holland, Jr. did not disclose that earlier investors were charged \$1,000 less per share.

5. That, although Respondent James Norris Holland, Jr. had discussed prospective sales of shares of SJS with his employer, Berthel Fisher Financial Services, Inc., and submitted proposed advertising for review, Respondent James Norris Holland, Jr. did not receive written authorization from Berthel Fisher Financial Services, Inc. to sell shares of SJS until March 2002.

ALLEGATIONS OF LAW

6. That the shares of stock in SJS are securities as defined by K.S.A. 17-1252(j).
7. That Respondent James Norris Holland, Jr.'s failure to disclose to investors after September 19, 2000, that earlier investors had paid less for their shares was an omission of material fact in violation of K.S.A. 17-1253(a)(2).
8. That Respondent James Norris Holland, Jr.'s sales of shares of SJS prior to his March 2002 authorization from his employer were sales made in violation of NASD Rule 3040 and constitute an unethical or dishonest act practice in the securities business pursuant to K.S.A. 17-1254(m)(7).

Respondent James Norris Holland, Jr., wishing to obtain a disposition of the above referenced matter without invoking his right to a hearing, has determined not to contest the issuance of the attached Consent Order based on the above referenced allegations.

IT IS, THEREFORE, STIPULATED AND AGREED by and between Respondent James Norris Holland, Jr. and the staff of the Office of the Kansas Securities Commissioner that:

1. The attached Consent Order may be issued by the Securities Commissioner of Kansas without further proceedings.

2. The attached Consent Order shall constitute neither an admission nor a denial that the allegations serving as a basis for the Consent Order are true, except that Respondent James Norris Holland, Jr. denies the Allegation of Fact, paragraph number four.
3. Respondent James Norris Holland, Jr. waives his right to any hearing prior to the issuance of the attached Consent Order on the basis of the allegations herein contained.
4. Respondent James Norris Holland, Jr. shall make a contribution to the Office of the Kansas Securities Commissioner Investor Education Fund in the amount of \$1,000. Such contribution shall be made by certified check or money order made payable to the Kansas Securities Commissioner and shall be submitted with this executed Stipulation.
5. Respondent James Norris Holland, Jr. shall, prior to issuance of the attached Consent Order, demonstrate that he has notified all unit holders of Solomon James Sports, Inc. of the current value of the units.
6. Respondent James Norris Holland, Jr. shall submit an executed copy of the Special Supervisory Agreement attached to this Stipulation as part of any application to become registered with the Office of the Kansas Securities Commissioner as an agent and/or investment advisor representative pursuant to K.S.A. 17-12a402 or K.S.A. 17-12a404.
7. The Office of the Kansas Securities Commissioner shall take no further action regarding the violations alleged herein unless new information of a material

nature that was not known and could not reasonably have been known at the time of execution of this Stipulation is discovered.

Approved:

/s/ James Norris Holland, Jr.
James Norris Holland, Jr.

1/15/09
Date

This instrument was signed before me on this 15 day of January, 2009, by James Norris Holland, Jr.

(seal)

/s/ Michelle Lancaster
Notary Public

My appointment expires: 5/5/2012

Office of the Securities Commissioner of Kansas:

/s/ Wiley B. Kannarr
Wiley B. Kannarr
Associate General Counsel

1/22/09
Date