

BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF KANSAS



In the Matter of:

GARTNER FINANCIAL GROUP, LLC (CRD #148539),
and
SCOTT ALAN GARTNER (CRD #1718453),

Docket No. 14 E ~~XXXX~~
KSC No. 2014-6123

Respondents.

_____/
Pursuant to K.S.A. 17-12a412

CEASE AND DESIST ORDER

COMES NOW the above-entitled matter for consideration by the Securities
Commissioner of Kansas. Upon due deliberation, the Commissioner finds as follows:

Findings of Fact

JURISDICTION

1. Pursuant to K.S.A. 17-12a601, the Securities Commissioner of Kansas is charged with administering the Kansas Uniform Securities Act.

2. Pursuant to K.S.A. 17-12a412, found in the Kansas Uniform Securities Act, an order may be issued to revoke, suspend, condition the registration of, or penalize a person or entity that is registered with the Office of the Kansas Securities Commissioner as a broker-dealer, agent of a broker-dealer, investment adviser, or investment adviser representative.

3. At the time when the actions relevant to this matter occurred, Respondent Gartner Financial Group, LLC (Gartner Financial) was, and currently is, registered with the Office of the Kansas Securities Commissioner as an investment adviser.

4. At the time when the actions relevant to this matter occurred, Respondent Scott Alan Gartner (Gartner) was, and currently is, registered with the Office of the Kansas Securities Commissioner as an investment adviser representative.

5. Accordingly, the Kansas Securities Commissioner has jurisdiction over this matter.

RELEVANT TIME PERIOD

6. All actions and transactions relevant to this matter occurred between March 1, 2013 and July 25, 2013.

RESPONDENTS

7. At the time when the actions relevant to this matter occurred, Respondent Gartner Financial was a limited liability company organized under the laws of the State of Kansas and had a registered address of 13237 Earnshaw Street, Overland Park, Kansas 66213.

8. Currently, Respondent Gartner Financial is in forfeited status with the Kansas Secretary of State's Office.

9. Respondent Gartner Financial has a current business address of 5127 S.W. Brentwood Road, Topeka, Kansas 66606.

10. Respondent Gartner is an individual with a current business and residential address of 5127 S.W. Brentwood Road, Topeka, Kansas 66606.

11. Respondent Gartner is the direct owner, president, chief executive officer, and chief compliance officer of Respondent Gartner Financial.

SECURITIES FRAUD

12. Pursuant to K.S.A. 17-12a501(2), it is unlawful for a person, in connection with the offer, sale, or purchase of a security, directly or indirectly, to make an untrue statement of a material fact, or to omit to state a material fact necessary in order to make a statement made, in the light of the circumstances under which it is made, not misleading.

13. On or about March 27, 2013, Respondent Gartner visited a Kansas investor at the investor's home and told the investor that he had a good deal that would double the investor's money in 90 days.

14. On or about March 27, 2013, the Kansas investor gave Respondent Gartner a \$10,000 check to purchase the alleged investment that would double the investor's money in 90 days.

15. On or about July 10, 2013, Respondent Gartner informed a close friend of the Kansas investor that he purchased a 1913 gold-backed bond issued by the Chinese Government with the \$10,000 that the Kansas investor had given him.

16. At the time the Kansas investor gave Respondent Gartner the \$10,000 check, Respondent Gartner did not disclose that the alleged investment that would double the investor's money in 90 days was a 1913 gold-backed bond issued by the Chinese Government.

17. At the time the Kansas investor gave Respondent Gartner the \$10,000 check, Respondent Gartner did not disclose any of the traits or characteristics of the 1913 gold-backed bond issued by the Chinese Government.

18. At the time the Kansas investor gave Respondent Gartner the \$10,000 check, Respondent Gartner did not provide the Kansas investor with a prospectus or any other documents regarding the 1913 gold-backed bond issued by the Chinese Government.

19. As of the date of this order, Respondent Gartner has not provided the Kansas investor with a prospectus or any other documents regarding the 1913 gold-backed bond issued by the Chinese Government.

20. At the time the Kansas investor gave Respondent Gartner the \$10,000 check, Respondent Gartner did not disclose any of the risks associated with investing in a 1913 gold-backed bond issued by the Chinese Government.

21. At the time the Kansas investor gave Respondent Gartner the \$10,000 check, Respondent Gartner did not disclose that investing in a 1913 gold-backed bond issued by the Chinese Government provided little to no chance that the Kansas investor would actually double his money in 90 days.

Conclusions of Law

1. The Securities Commissioner of Kansas has jurisdiction over this matter pursuant to K.S.A. 17-12a412.

2. The 1913 gold-backed bond issued by the Chinese Government that is described herein is a security as defined by K.S.A. 17-12a102(28).

3. Respondents, in connection with the offer, sale, or purchase of a security, made untrue statements of material facts and omitted to state material facts necessary in order to make a statement made, in the light or the circumstances under which it was made, not misleading, in violation of K.S.A. 17-12a501(2).

4. Pursuant to K.S.A. 17-12a412(f) and K.S.A. 77-536, an emergency cease and desist order is necessary in this matter to prevent harm to the public.

IT IS THEREFORE ORDERED by the Securities Commissioner that:

1. Respondents cease and desist in the State of Kansas from selling, offering to sell, or materially aiding in the offer or sale, on behalf of themselves or on behalf of any other person/entity that they are acting in concert with, investments in the 1913 gold-backed bond issued by the Chinese Government that is described herein.

2. Respondents cease and desist in the state of Kansas from soliciting offers to purchase or making offers to sell, or effecting or transacting sales of securities, or the securities of any other person or issuer, or directly or indirectly aiding and assisting in the same or attempting to do the same, unless and until Respondents refrain from all acts and practices which constitute violations or are about to constitute violations of the Kansas Uniform Securities Act.

Opportunity for Hearing

If the Respondents wish to contest the Findings of Fact and Conclusions of Law set forth herein, the Respondents must file a request for hearing within thirty (30) days after service of this Order. The request for hearing must be in the manner and form prescribed by K.A.R. 81-11-5, and it must be filed with the Office of the Kansas Securities Commissioner, 109 SW 9th Street, Suite 600, Topeka, Kansas 66612. The request for hearing must be verified under oath by the Respondents and, if the Respondents dispute any of the Findings of Fact or Conclusions of Law set forth herein, the Respondents shall specifically deny such findings/conclusions or they will be deemed admitted. In addition, the Respondents may offer evidence and argument to mitigate the findings/conclusions set forth herein. If the findings/conclusions are properly disputed, a hearing officer will be appointed and the matter will be set for hearing. If no request for hearing is filed within thirty (30) days after service of this Order, this Order will become final by operation of law.

IT IS SO ORDERED BY THE COMMISSIONER.

Entered at Topeka, Kansas, this 30th day of July, 2013.




Joshua A. Ney
Acting Securities Commissioner
State of Kansas