

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

In the matter of:

DALE C. LUCAS,
MICHAEL J. MCNAUL,
RUSSELL W. KILGARIFF,
RICHARD D. MEYER, and
their Representatives or Agents
Respondents.

Docket No. 11 E 001
KSC No. 2003-4697

_____/

A proceeding pursuant to K.S.A. 17-1266a. and 17-12a604.

CONSENT ORDER AS TO RUSSELL W. KILGARIFF

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

1. Respondent Kilgariff and staff for the Office of the Securities Commissioner have entered into a Stipulation for Consent Order in this matter.
2. In the Stipulation, Respondent Kilgariff waived his rights to a hearing to contest the allegations contained in the Stipulation. Therefore, this Order may be issued without further proceedings.
3. Respondent Kilgariff neither admits nor denies the allegations contained in the Stipulation.
4. It is in the public interest and consistent with the purposes of the Kansas Uniform Securities Act that this Order be issued.

WHEREFORE, the Commissioner based on the Stipulation and the Findings of Fact and Conclusion of Law referenced in the Stipulation has determined to issue the following order.

IT IS, THEREFORE, ORDERED by the Commissioner that the Respondent Kilgariff shall immediately CEASE and DESIST in the State of Kansas from soliciting offers to buy 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, (1) unless and until such securities have been registered for offer and sale pursuant to the provisions of the Kansas Uniform Securities Act, or unless and until such securities are specifically exempt from the registration requirements of the Kansas Uniform Securities Act; and (2) unless and until the Respondent and all other affiliates, employees or contractors of the Respondent who are to be engaged in such solicitations, offers, and sales first become registered as broker-dealers or agents pursuant to the provisions of the Kansas Uniform Securities Act, or unless and until such persons are specifically exempt from such registration requirements of the Kansas Uniform Securities Act; and (3) unless and until the Respondent refrains from all acts and practices which constitute violations or are about to constitute violations of the Kansas Uniform Securities Act.

IT IS SO ORDERED BY THE COMMISSIONER.

Entered at Topeka, Kansas, this 30th day of November, 2010.

/s/ Marc S. Wilson
Marc S. Wilson
Securities Commissioner
State of Kansas

NOTICES:

- (1) Pursuant to K.S.A. 17-12a508(a), an intentional violation of an Order issued under the Kansas Uniform Securities Act is a felony criminal offense.**
- (2) This decision may constitute final agency action that is subject to judicial review. The agency officer to receive service of a petition for judicial review on behalf of the Office of the Securities Commissioner is Marc S. Wilson, Securities Commissioner, 109 S.W. 9th St., Suite 600, Topeka, Kansas 66612.**