

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

In the Matter of:

SCOTT A. LEHNER,

Docket No. 09 E 003

KSC No. 2003-4710

Respondent.

_____/

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

DEFAULT ORDER OF SANCTIONS

NOW on this 21st day of January, 2009, the above-captioned matter comes before the Securities Commissioner of Kansas for consideration of the Motion for Default Order. The staff appears by Gail E. Bright, Associate General Counsel. The Respondent appears not.

The Commissioner finds that a Notice of Intent to Impose Administrative Sanctions was duly executed in Topeka, Kansas, on November 4, 2008, and mailed by certified mail, return receipt requested, on November 4, 2008, to Respondent. The Notice of Intent was served, return receipt delivery, upon Martha L. Lehner at Respondent's known address, on November 7, 2008.

Respondent was required to file a Request for Hearing on or before December 8, 2008, pursuant to K.A.R. 81-11-5 and K.S.A. 77-531, and has failed to do so.

The Notice of Intent contains Allegations of Fact and Law which have not been contested by Respondent pursuant to K.A.R. 81-11-5. Therefore, the Commissioner finds that the allegations are admitted by the Respondent. The Commissioner adopts the Allegations of Fact as true and correct findings of fact, and the Commissioner adopts the Allegations of Law as conclusions of law.

Upon consideration of the reasons set forth in the Notice of Intent, and after due deliberation, the Commissioner finds that it is in the public interest and consistent with the purposes of the Kansas Securities Act and the Kansas Uniform Securities Act that this Order be issued.

IT IS THEREFORE ORDERED by the Commissioner that Respondent, and his officers, agents, servants, employees, and any person in concert or participation with him who receives actual notice of this order, shall immediately CEASE AND DESIST from engaging in acts and practices which constitute violations of the Kansas Uniform Securities Act.

IT IS FURTHER ORDERED that Respondent is hereby permanently BARRED from registration as, or association with, a broker-dealer, an agent, an investment adviser, or an investment adviser representative under the Kansas Uniform Securities Act.

IT IS FURTHER ORDERED that Respondent pay RESTITUTION to [REDACTED], in the amount of \$5,000.00, in the form of a cashier's check or money order delivered to the Office of the Kansas Securities Commissioner within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that Respondent shall pay a FINE in the amount of \$3,250.00 in the form of a cashier's check or money order, made payable to the Office of the Kansas Securities Commissioner, within thirty (30) days of the date of this Order.

IT IS SO ORDERED.

/s/ Chris Biggs
Chris Biggs
Securities Commissioner
State of Kansas

NOTICES:

(1) Pursuant to K.S.A. 17-1267 and K.S.A. 2005 Supp. 17-12a508, any intentional violation of any order issued by the Securities Commissioner of Kansas 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 Chris Biggs, Securities Commissioner, 618 South Kansas Avenue, Topeka, Kansas 66603.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of January, 2009, a copy of the above Default Order of Sanctions was mailed, via U.S. Mail, certified, return receipt requested, to the following:

Scott A. Lehner



/s/ Gail Bright
Gail E. Bright, #14572
Associate General Counsel