

STATE OF NEW HAMPSHIRE
DEPARTMENT OF STATE
BUREAU OF SECURITIES REGULATION
25 CAPITOL STREET
CONCORD, NH 03301

CONSENT ORDER
IN THE MATTER OF:

Edward Jones, CRD # 250

C-201200002

- I. For purposes of settling the above-captioned matter, and in lieu of further administrative proceedings, Edward D. Jones & Co., L.P. ("EJ") has submitted an offer of settlement which the State of New Hampshire, Department of State, Bureau of Securities Regulation (the "Bureau") has determined to accept. Accordingly, without admitting or denying the facts or allegations contained herein, EJ does hereby consent to the following undertakings and sanctions:

THE FACTS

1. Edward Jones ("EJ") is a national broker-dealer serving individuals and businesses across the United States. EJ has its principal place of business at 12555 Manchester Road, St. Louis, Missouri 63131 with, according to the Central Registration Depository ("CRD"), fifty-eight (58) branch offices within New Hampshire and thousands of branch offices across the country. As a broker-dealer, EJ has been registered with the Securities and Exchange Commission ("SEC") since April 26, 1941 and has been licensed in New Hampshire since July 15, 1986. EJ is also a member of the Financial Industry Regulatory Authority ("FINRA") and is thus subject to FINRA rules that apply to broker-dealers.
2. Since the inception of the FTC's National Do Not Call Registry, according to the FTC's 2012 National Do Not Call Registry Data Book, approximately 1,147,000 New Hampshire telephone numbers have been placed on the registry. This ranks New Hampshire, with a population of just over 1.3 million, number one in active registrations per capita in the nation, as it translates to approximately 87 registrations for every 100 New Hampshire residents.
3. The relevant time period for the Bureau's investigation was January 1, 2010 to the present. During its investigation the Bureau determined that EJ, through its financial

advisors, made outbound telephone calls to New Hampshire residents in violation of applicable rules. In addition, the Bureau determined that, on several occasions, EJ's financial advisors also failed to appropriately honor requests by New Hampshire residents to be added to EJ's firm specific list. Further, the Bureau determined that these calls were the result of EJ's inadequate training, supervisory, and compliance practices and procedures in the area of telecommunications.

National Do Not Call Registry Restrictions

4. FINRA Rule 3230(a)(3) ("Rule 3230") states that "[n]o member or person associated with a member shall initiate any outbound telephone call to: any person who has registered his or her telephone number on the Federal Trade Commission's national do-not-call registry." Under 3230(m)(16), FINRA defines an "outbound telephone call" as a "telephone call initiated by a telemarketer to induce the purchase of goods or services or to solicit a charitable contribution from a donor."
5. During the course of its investigation, the Bureau requested EJ provide documentation relating to a set of unique New Hampshire phone numbers called by EJ personnel during the relevant time period. These unique telephone numbers were all registered on the National Do Not Call Registry at the time of call and, according to EJ's records, were not associated with existing EJ clients.
6. During the Bureau's investigation, EJ produced data showing that many of the numbers provided by the Bureau were those of prospective clients who had received at least one "outbound telephone call" from EJ. Setting aside the applicability of any exceptions, including the established business relationship and personal relationship exceptions, many of these telephone numbers received multiple outbound telephone calls during the relevant time period.
7. Although EJ financial advisors may not have offered a specific product in every one of the calls to these New Hampshire telephone numbers, the Bureau determined that the purpose of many of these contacts was to induce the sale of goods or services or to build a personal rapport for the purpose of inducing the sale of goods or services, practices consistent with EJ's new financial advisor training materials.

Firm-Specific Do-Not-Call List Restrictions

8. Applicable rules also prohibit outbound telephone calls to individuals on a FINRA member's firm-specific do not call list: "No member or person associated with a member shall initiate any outbound telephone calls to: [a]ny person that previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the member." Rule 3230(d) further states:

If a member receives a request from a person not to receive calls from that member, the member must record the request and place the person's name, if provided, and telephone number on the firm's do-not-call list at the time the request is made. Members must honor a person's do-not-call request within a reasonable time from the date such request is made. This period may not exceed thirty days from the date of such request.

9. During its investigation, the Bureau determined that EJ financial advisors failed to add certain New Hampshire telephone numbers to the EJ's firm-specific list, as required by applicable rules. Based on an analysis of call data, several individuals called indicated a desire to no longer be contacted by EJ or its financial advisors but were not properly added to EJ's firm-specific list. The Bureau also determined that, in certain instances, EJ advisors improperly continued to initiate outbound telephone calls to these New Hampshire residents.

Recordkeeping

10. Applicable rules require firms making outbound telephone calls to maintain up-to-date copies of the National Do Not Call Registry and also require FINRA broker-dealers, like EJ, to maintain a firm-specific do-not-call list of phone numbers of individuals who have requested not to receive calls from that member. Rule 3230(d)(3) requires that “[i]f a member receives a request from a person not to receive calls from that member, *the member must record the request and place the person’s name, if provided, and telephone number on the firm’s do-not-call list at the time the request is made.*” (emphasis added).
11. The requirement of a broker-dealer to maintain a firm-specific do-not-call list, in addition to an up-to-date copy of the National Do Not Call Registry, is to protect consumers from repetitive, unwelcome calls, the original purpose of the National Do Not Call Registry. Additionally, it allows broker-dealers to distinguish between those who may receive an outbound telephone call if an exception applies, such as those on the national and state do-not-call lists, and those who may not receive outbound telephone calls, such as those on the firm-specific list.
12. The Bureau found that EJ had historically maintained a single do-not-call list, combining national and firm-specific lists. The Bureau determined that although not prohibited by applicable law, combining the lists in this way meant that financial advisors could not readily determine whether a number was on the National Do Not Call Registry or was added to EJ's firm-specific list at the request of an individual not to receive further calls. Although EJ's combined list did internally identify the source of the numbers included, this identifier may not have accurately reflected that a New Hampshire resident requested to be on the firm-specific list. A number that appears only on the National Do Not Call Registry may be called when an exception applies while numbers on EJ's firm-specific list may not be called for solicitation purposes, without exception. As a result, EJ

financial advisors in New Hampshire may have had difficulty determining whether exceptions applied to the number appearing on the list, which increased the possibility of do-not-call violations. EJ has advised the Bureau that, during the course of the Bureau's investigation, it established separate lists that now allow EJ financial advisors to determine whether a particular number is on the National Do Not Call Registry or EJ's firm-specific list.

Recording and Demonstration of Applicable Exceptions

13. In light of the high percentage of New Hampshire registrations on the Do Not Call Registry, EJ financial advisors often make outbound telephone calls to New Hampshire telephone numbers on the National Do Not Call Registry where exceptions to the do-not-call rules apply. However, the Bureau found that EJ did not always maintain sufficient records for supervisory purposes relating to the personal relationship exception. Failure to maintain sufficient records relating to the applicable exceptions in a manner that can be easily consolidated and reviewed may inhibit the ability of regulators, such as the Bureau, as well as a firm's compliance department, to readily monitor the activities of financial advisors and to identify and remedy violations of applicable do-not-call rules. EJ has represented that it is in the process of updating its procedures to augment its records relating to the personal relationship exception. The Bureau found that, in New Hampshire, adequate steps were not always taken to reasonably ensure that the outbound telephone calls made by EJ's financial advisors to telephone numbers on the National Do Not Call Registry were excepted from do-not-call restrictions because of an applicable exception.

Established Business and Personal Relationship Exceptions

14. Applicable rules state that members will not be held liable for initiating outbound telephone calls to individuals with whom "[t]he member has an established business relationship" or with whom "[t]he associated person making the call has a personal relationship", which includes "family member[s], friend[s], or acquaintance[s]."
15. The established business relationship and personal relationship exceptions are the exceptions most commonly used by EJ when making outbound telephone calls to New Hampshire residents. Regarding the personal relationship exception, EJ instructs its financial advisors that the requisite personal relationship can be formed through face-to-face contact, by personally introducing themselves and by asking for and receiving the person's verbal permission to call. EJ instructs its financial advisors that this exception may be established in one face-to-face meeting. In these types of instances, EJ financial advisors rely primarily on the "acquaintance" classification outlined in the definition of "personal relationship."

16. As part of its investigation, the Bureau found that certain New Hampshire residents who received outbound telephone calls from EJ financial advisors in New Hampshire hung-up on the financial advisor, refused the products or services offered by the financial advisor, and, in certain instances, requested not to receive any further calls from EJ or its financial advisors. Even though the EJ financial advisor stated that they originally had permission to call the individual, certain of these responses would negate the validity of the personal relationship exception. EJ has represented that it is in the process of revising its training regarding the personal relationship exception to, among other things, improve financial advisors' understanding of the requirements for establishing the personal relationship exception, including the facts and circumstances that would result in a prospect having or not having a reasonable expectation of a call.

Training of New EJ Financial Advisors

17. To become an EJ financial advisor, EJ requires that all prospective financial advisors attend in-person training at EJ headquarter offices. In these trainings, EJ advisors are instructed that they are responsible for complying with applicable telecommunications rules. Thus, an EJ financial advisor's understanding of applicable telecommunications restrictions is derived, almost exclusively, from the training he or she receives from EJ.

Firm-Specific List

18. As described above, EJ combined its national and firm-specific do-not-call lists into one combined list maintained by the Firm. However, the Bureau found that, EJ's training materials do not clearly state that EJ's advisors were required to check EJ's combined do-not-call list before initiating outbound telephone calls. As the firm-specific do-not-call list is not subject to any exceptions and because numbers can be added to this list at any time by the Firm, reasonable procedures must be in place to make sure that EJ financial advisors are aware if a number to which they intend to make an outbound telephone call is on or has been added to the firm-specific list. Further, EJ's training did not clearly instruct financial advisors that they must add to the firm-specific list any person that stated that he or she did not wish to receive an outbound telephone call from the firm, not just those who specifically requested to be added to the firm-specific list. EJ has stated that it is in the process of updating its procedures and training regarding checking the do-not-call lists and adding numbers to the firm-specific list.

Introduction during Outbound Telephone Calls

19. During its investigation, the Bureau determined that in certain instances, EJ also failed to provide its financial advisors with accurate instructions on introducing themselves to prospective clients. Applicable rules require that when engaging in an outbound telephone call, a firm, through its financial advisors, must, at minimum: "provide the

called party with the name of the individual caller, the name of the member, an address or telephone number at which the member may be contacted, and that the purpose of the call is to solicit the purchase of securities or related service.” EJ’s training materials guide advisors that to be compliant with applicable telecommunications rules, they “must provide the called party with the name of the caller, the firm’s name, the address or telephone number, and disclose that the purpose of the call is to solicit interest in a security.” These materials further state that “if you have met the prospective client or client you need only introduce yourself and the firm: ‘I am Jack Ford from Edward Jones.’” However, all solicitation calls, without exception, must be accompanied by an introduction with the above stated requirements. Therefore, the guidance provided in EJ’s training materials is inadequate in this respect and EJ has stated that it is in the process of enhancing it.

Use of Personal Phones for Firm Business

20. EJ allows its financial advisors to use cell phones to contact prospective clients. Applicable rules state that firms “must transmit or cause to be transmitted the telephone number, and, when made available by the member's telephone carrier, the name of the member, to any caller identification service in use by a recipient of an outbound telephone call.” In reviewing EJ advisors’ notes, the Bureau determined that, in some instances, EJ advisors improperly used their personal phones or caller-ID blocking in an attempt to contact a particular prospect that was screening or avoiding calls from the EJ phone number.

Supervision of EJ Advisors

21. EJ’s written supervisory procedures state that the responsibility for compliance in the area of telephone solicitations and no call lists rests with the Office of Regulatory Counsel.
22. Regarding the adding of telephone numbers to the EJ firm-specific do-not-call list, EJ’s supervisory procedures state “[b]ranches *may* send a [request] for individuals wishing to be placed on the firm’s internal no call list.” (emphasis added). Applicable rules *require* a broker-dealer to add to the broker-dealer’s firm-specific do-not-call list the telephone number of any individual wishing not to be contacted. EJ’s supervisory procedures state that, “[a]n associate in the Office of Regulatory Counsel updates the firm’s internal no call list on a weekly basis.” In its investigation, the Bureau found that since 2007 only two (2) New Hampshire telephone numbers were added to the EJ firm-specific do-not-call list and that the EJ Office of Regulatory Counsel never identified as concerning that very few New Hampshire numbers were added to EJ’s firm-specific list despite EJ’s high volume of calls to New Hampshire residents.

23. EJ's compliance materials provide for review of compliance with firm-specific do-not-call list provisions, stating that "[o]n a quarterly basis the principal responsible for the Office of Regulatory Counsel reviews a minimum of 10 requests received from individuals requesting to be placed on the firm's 'no call' list." However, if no requests are submitted to the Office of Regulatory Counsel by EJ's financial advisors, there are no such requests available for review. The Bureau believes that in New Hampshire, given the small number of individuals added to the firm-specific list, this overall supervisory system is not reasonably designed to ensure compliance with applicable rules and restrictions in New Hampshire.
24. EJ's supervisory procedures indicate that a review of compliance with applicable do-not-call rules may be performed during branch audits. However, in the New Hampshire branch audit reports provided to the Bureau by EJ there is no express mention of review of compliance with do-not-call rules. Additionally, EJ's Supervisory Discussion Guidelines, which contain a list of suggested topics to discuss with financial advisors during branch audits, also do not explicitly list telecommunications rules as a topic to be discussed.

THE LAW

1. EJ is a "person" within the meaning of N.H. RSA 421-B:2, XVI and is a "broker-dealer" within the meaning of N.H. RSA 421-B:2, III and is a registered member of FINRA.
2. Pursuant to N.H. RSA 421-B:8, X, persons licensed under this chapter to conduct securities business shall abide by the rules of the SEC, National Association of Securities Dealers (NASD, now FINRA), national and regional stock exchanges, and other self-regulating organizations which have jurisdiction over the licensee, which set forth standards of conduct in the securities industry. EJ is subject to these provisions and is thus liable under New Hampshire securities law for violations of applicable FINRA Rules as outlined herein.
3. The applicable rules define the term "person" as "any individual, group, unincorporated association, limited or general partnership, corporation, or other business entity." Rule 3230(m)(17).
4. The applicable rules state that "no member or person associated with a member shall initiate any outbound telephone call to . . . [a]ny person that previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the member. . . ." Rule 3230(a)(2). Thus, broker-dealers are required to keep a firm-specific do-not-call list and place on that list individuals called who request not to be contacted again. *Id.* In light of this provision, EJ's failure to appropriately add telephone numbers to its firm-specific do-not-call list upon request and subsequently initiating outbound

telephone calls to some of those numbers are violations of N.H. RSA 421-B:8, X.

5. The applicable rules state that “no member or person associated with a member shall initiate any outbound telephone call to . . . [a]ny person who has registered his or her telephone number on the Federal Trade Commission’s national do-not-call registry.” Rule 3230(a)(3). However, there are three possible exceptions to this restriction under subsection (b) of the rule:

A member making outbound telephone calls will not be liable for violating paragraph (a)(3) if: 1) The member has an established business relationship with the recipient of the call. A person’s request to be placed on the firm-specific do-not-call list terminates the established business relationship exception to that national do-not-call list provision for that member even if the person continues to do business with the member; 2) The member has obtained the person’s prior express invitation or permission. Such permission must be evidenced by a signed, written agreement between the person and member which states that the person agrees to be contacted by the member and includes the telephone number to which the calls may be placed; or 3) The associated person making the call has a personal relationship with the recipient of the call.

Despite this provision, EJ did not have adequate procedures in place to ensure that exceptions applied to outbound telephone calls to New Hampshire numbers on the National Do-Not-Call Registry in violation of N.H. RSA 421-B:8, X.

6. The applicable rules require that firms making outbound telephone calls “must transmit or cause to be transmitted the telephone number, and, when made available by the member’s telephone carrier, the name of the member, to any caller identification service in use by a recipient of an outbound telephone call.” Rule 3230(g). Further, firms making outbound telephone calls are “prohibited from blocking the transmission of caller identification information.” EJ violated N.H. RSA 421-B:8, X by not putting sufficient training and procedures in place to prevent certain of its financial advisors from using their personal cell-phones or caller ID blocking features in an effort to circumvent a particular prospect’s attempt to screen or avoid their calls.
7. A broker-dealer is required to “establish, maintain, and enforce written procedures to supervise the types of business in which it engages and to supervise the activities of registered representatives, registered principals, and other associated persons that are reasonably designed to achieve compliance with applicable securities laws and regulations, and with the applicable Rules of NASD.” FINRA Rule 3010(b)(1). In addition, subsection(c)(1) of the rule requires that EJ:

conduct a review, at least annually, of the businesses in which it engages, which review shall be reasonably designed to assist in

detecting and preventing violations of, and achieving compliance with, applicable securities laws and regulations, and with applicable NASD rules. Each member shall review the activities of each office, which shall include the periodic examination of customer accounts to detect and prevent irregularities or abuses.

In light of these provisions, EJ failed to establish supervisory procedures that are reasonably designed to achieve compliance and prevent violations of applicable rules and restrictions in violation of N.H. RSA 421-B:8, X. EJ also violated N.H. RSA 421-B:8, X when it failed to establish a supervisory process to reasonably ensure outbound telephone calls were not made to telephone numbers registered on the National Do Not Call Registry (where no exceptions applied) and EJ's firm-specific do-not-call list.

8. Pursuant to N.H. RSA 421-B:26, III, any person who, either knowingly or negligently, violates any provisions of this chapter may, upon hearing, and in addition to any other penalty provided for by law, be subject to such suspension, revocation or denial of any registration or license, including the forfeiture of any application fee, or an administrative fine not to exceed \$2,500, or both. Each of the acts specified shall constitute a separate violation, and such administrative action or fine may be imposed in addition to any criminal penalties imposed pursuant to RSA 421-B:24 or civil liabilities imposed pursuant to RSA 421-B:25. EJ is subject to this provision.
9. Pursuant to N.H. RSA 421-B:26, III-a, every person who directly or indirectly controls a person liable under paragraph N.H. RSA 421-B:26, I, II, or III, every partner, principal executive officer, or director of such person, every person occupying a similar status or performing a similar function, every employee of such person who materially aids in the act or transaction constituting the violation, and every broker-dealer or agent who materially aids in the acts or transactions constituting the violation, either knowingly or negligently, may, upon hearing, and in addition to any other penalty provided for by law, be subject to such suspension, revocation, or denial of any registration or license, including the forfeiture of any application fee, or an administrative fine not to exceed \$2,500, or both. Each of the acts specified shall constitute a separate violation, and such administrative action or fine may be imposed in addition to any criminal penalties imposed pursuant to RSA 421-B:24 or civil liabilities imposed pursuant to RSA 421-B:25. EJ is subject to this provision.
10. Pursuant to N.H. RSA 421-B:23, whenever it appears to the secretary of state that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule or order under this chapter, the secretary of state shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of this chapter. EJ is subject to this provision.

11. Pursuant to N.H. RSA 421-B:22, IV, in any investigation to determine whether any person has violated or is about to violate this title or any rule or order under this title, upon the secretary of state's prevailing at hearing, or the person charged with the violation being found in default, or pursuant to a consent order issued by the secretary of state, the secretary of state shall be entitled to recover the costs of the investigation, and any related proceedings, including reasonable attorney's fees, in addition to any other penalty provided for under this chapter. EJ is subject to this provision.

II. In view of the foregoing, the Respondent agrees to the following undertakings and sanctions:

1. EJ agrees to cease and desist from further violations of N.H. RSA 421-B.
2. EJ agrees, without admitting or denying the facts or allegations contained herein, that this Order is entered into for purpose of resolving only the matter as described herein and understands that the Bureau will not initiate an administrative investigation or proceeding relative to conduct by Respondent or any of its affiliates or employees, which occurred during the relevant time period as defined in this Consent Order, and which relates to the allegations contained in this Consent Order or the Bureau's April 11, 2013 Staff Petition in this matter (the "Petition"). This Order shall have no collateral estoppel, res judicata or evidentiary effect in any other lawsuit, proceeding, or action, not described herein. Likewise, this Order shall not be construed to restrict the Bureau's right to initiate an administrative investigation or proceeding relative to conduct by Respondent which does not relate to allegations contained in this Consent Order or the Petition.
3. EJ agrees not to take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation in this Consent Order or create the impression that the Consent Order is without factual basis. Nothing in this provision affects EJ's testimonial obligations or right to take any factual or legal positions in administrative proceedings or in litigation, in which the Bureau is not a party.
4. EJ agrees to establish, implement, and disseminate to all financial advisors policies and procedures that are reasonably designed to remedy the violations outlined herein including:
 - a. Maintaining and making available to all EJ financial advisors separate, distinct, and up-to-date copies of the National Do Not Call Registry and the EJ firm-specific do-not-call lists pursuant to applicable rules and regulations;
 - b. Training its financial advisors to initially check the National Do Not Call Registry and the EJ Firm-specific do-not-call list before making an "outbound telephone call" as defined by the applicable do-not-call rules and EJ procedures established

pursuant thereto, and requiring EJ to update its contact management system so that the system does not display telephone numbers on EJ's firm-specific list;

- c. Training its financial advisors in all exceptions outlined in the applicable do-not-call rules, including their requirements and applicability, and the lack of exceptions for outbound telephone calls made to telephone numbers on EJ's firm-specific do-not-call list, and including training and supervisory procedures designed to remedy the concern outlined in paragraphs 15 and 16 of Section I above regarding whether a personal relationship exists;
- d. Training its financial advisors that an "outbound telephone call" is a telephone call initiated by the financial advisor "to induce the purchase of goods or services," and that such calls, depending on the specific circumstances, can include calls that do not specifically offer the purchase of goods or services;
- e. Training its financial advisors on EJ's obligation to properly record the request of any individual who states he or she does not wish to receive further telephone calls from EJ or its financial advisors, to add such an individual to the firm-specific do-not-call list, and to refrain from making outbound telephone calls to any individual on EJ's firm-specific do-not-call list;
- f. Training and requiring its financial advisors to comply with all updated EJ policies and procedures relating to the applicability of exceptions prior to placing outbound telephone calls, which policies and procedures will include, among other things, requirements that financial advisors enter prospects into a firm contact management system prior to placing outbound telephone calls to such prospects, provide the applicable do-not-call exception permitting the outbound telephone call, and, where the personal relationship exception applies, provide information on the basis for the applicability of the exception;
- g. Requiring its financial advisors to refrain from making outbound telephone calls to any telephone number registered on the National Do Not Call Registry unless there is an applicable Rule 3230(b) exception, and requiring its financial advisors to refrain from initiating outbound telephone calls to any telephone number that appears on the EJ firm-specific do-not-call list;
- h. Maintaining the records required by subparagraphs a, e, and f above in a manner that provides both EJ and any regulatory agency ready access to such records in a complete and accurate form;
- i. Requiring its financial advisors to refrain from initiating outbound telephone calls to any person in a manner that does not transmit or cause to be transmitted caller

identification information to any caller identification service in use by a recipient of an outbound telephone call;

- j. Enacting supervisory procedures, including procedures for the conduct of branch office audits, that are reasonably designed to ensure EJ's compliance with applicable telecommunications rules, including but not limited to procedures relating to improved recordkeeping practices, required checking of applicable do-not-call lists, proper and prompt adding of individuals to EJ's firm-specific do-not-call list, proper transmitting of caller-identification data, and monitoring of EJ financial advisor compliance with applicable restrictions and the provisions of this Consent Order; and
 - k. Within 180 days from the date of execution, submitting an interim report to the Bureau regarding compliance with the terms of this Consent Order. Such report shall be signed by an EJ partner. The final report, also signed by an EJ partner, shall be due no later than one year after execution of this Consent Order and shall detail compliance with the undertakings herein. Each report shall include: 1) the undertakings complied with pursuant to this Consent Order and the means of compliance; 2) a supervisory report of the effect of implementation of all undertakings complied with; and 3) with respect to the interim report, the undertakings yet to be complied with and a detailed plan of action for compliance with such outstanding undertakings. The Bureau may, at any time, make reasonable requests for additional documents and information related to compliance with this Consent Order.
5. EJ agrees, upon execution of this Consent Order, to pay the Bureau's costs of investigation in the amount of One Hundred Seventy Five Thousand Dollars (\$175,000), a payment to the Investor Education Fund in the amount of One Hundred Seventy Five Thousand Dollars (\$175,000), and an administrative fine in the amount of Four Hundred Thousand Dollars (\$400,000). EJ agrees to pay the total amount of Seven Hundred and Fifty Thousand Dollars (\$750,000) to the State of New Hampshire, which will be applied to settlement of the above-captioned matter. Payment must be made by 1) business check, certified check, or postal money order; 2) made payable to the State of New Hampshire; and 3) mailed to the Bureau of Securities Regulation, Department of State, State House, Room 204, Concord, New Hampshire, 03301.

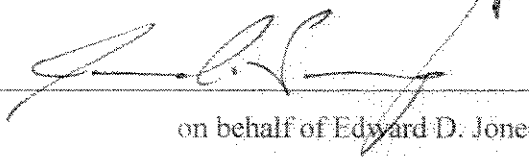
III. Based on the foregoing, the Bureau deems it appropriate and in the public interest to accept and enter into this Order. **THEREFORE, IT IS HEREBY ORDERED THAT:**

- 1. Respondent cease and desist from further violations of the act pursuant to RSA 421-B:23.
- 2. Respondent pay the Bureau's costs of investigation in the amount of One Hundred

Seventy Five Thousand Dollars (\$175,000), a payment to the Investor Education Fund in the amount of One Hundred Seventy Five Thousand Dollars (\$175,000), and an administrative fine in the amount of Four Hundred Thousand Dollars (\$400,000).

3. Respondent comply with all other undertakings and sanctions outlined herein.

Executed this 25 day of February 2014.

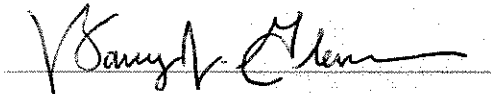


on behalf of Edward D. Jones & Co., L.P.

(Please print name below)

James A. Tricarico, Jr.

Entered this 25th day of February 2014.



Barry Glennon, Director
N.H. Bureau of Securities Regulation