



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)
)
JAN SKOLA,)
)
) Case No. AP-07-08
)
Respondent.)
)

ORDER GRANTING MOTION TO DISMISS

On January 13, 2015, the Enforcement Section of the Missouri Securities Division of the Office of the Secretary of State ("Enforcement Section"), through Assistant Commissioner of Securities Mary S. Hosmer, submitted a Motion to Dismiss in this matter. After reviewing the motion, the Commissioner issues the following order:

PROCEDURAL BACKGROUND

1. On February 7, 2007, the Enforcement Section of the Securities Division ("Petitioner") submitted a Petition for an Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed in this matter.
2. On February 16, 2007, the Commissioner issued an Order to Cease and Desist and to Show Cause Why Civil Penalties and Costs Should not be Imposed. *In Matter of Jan Skola Case No. AP-07-08 (the "Skola Order")*.
3. On March 5, 2007, the Commissioner received an Entry of Appearance from Joseph Sheppard, III, as counsel for Respondent, Jan M. Skola ("Respondent's Counsel").
4. On April 26, 2007, the Commissioner received Respondent's Motion for Leave to File Request for Hearing Before the Commissioner Out of Time, Respondent's Request for Hearing Before the Commissioner, and Suggestions in Support of Respondent's Request for Hearing Before the Commissioner from Respondent's Counsel.
5. On April 30, 2007, the Commissioner issued a Hearing Order, Notice of Filing, Notice of Hearing on the Skola Order.

6. On May 7, 2007, the Commissioner received Respondent's Additional Suggestions In Support of Respondent's Request for Hearing from Respondent's Counsel.
7. On May 29, 2007, Respondent's Counsel filed a Motion for Continuance.
8. On May 31, 2007, the Commissioner issued an Order of Continuance.
9. On or before December 2007, the parties agreed to an informal settlement conference before the Commissioner.
10. On December 10, 2007, Petitioner's Pre-Mediation Brief was filed through Mary S. Hosmer, Assistant Commissioner.
11. On January 3, 2008, Respondent's Counsel filed a Pre-Mediation Factual Summary.
12. On January 7, 2008, the Commissioner and the parties had an informal settlement meeting.
13. In January 2008, an agreement was reached between the Enforcement Section and Respondent's Counsel ("January 2008 Agreement"). Pursuant to this agreement the pending Skola Order would be dismissed provided the Enforcement Section did not open an investigation based on Respondent's conduct between July 1, 2006 and December 31, 2008.
14. No investigation was opened relating to Respondent's conduct between July 1, 2006 and December 31, 2008.
15. Respondent's Counsel had no objection to the motion to dismiss.

III. ORDER

NOW, THEREFORE, it is hereby ordered that Petitioner's Motion to Dismiss is GRANTED.
SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,
MISSOURI THIS TWENTY-FIRST DAY OF JANUARY, 2015.



JASON KANDER
SECRETARY OF STATE

Andrew M. Hartnett

ANDREW M. HARTNETT
COMMISSIONER OF SECURITIES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 21st day of January, 2015, this Response to Respondent's Motion to Dismiss the Petition was mailed by US Mail to:

Joseph D. "Chip" Sheppard, III
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Marsha Presley, Securities Office Manager