

State of Missouri  
Office of Secretary of State

Case No. AP-05-28

IN THE MATTER OF:

DOUGLAS BAGWELL, CRD #4219659  
2200 E. Sunshine Street, Ste. 112  
Springfield, Missouri 65804,

Respondent.

**CONSENT ORDER**

1. The Missouri Securities Division alleges that Douglas Bagwell (“Bagwell”) engaged in unregistered activity and that this constitutes grounds for discipline pursuant to Section 409.201(a), RSMo 2000.
2. Bagwell desires to settle the allegations and the matters raised by the staff of the Securities Division relating to his alleged violation of Missouri Securities Laws.
3. Bagwell and the Securities Division consent to the issuance of the Consent Order.
4. Bagwell, subsequent to the allegations that he engaged in unregistered activity constituting grounds for discipline pursuant to Section 409.201(a), RSMo 2000, stipulates and agrees to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
5. Bagwell waives his right to a hearing with respect to this matter.
6. Bagwell stipulates and agrees that he waives any rights that he may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Further, Bagwell specifically forever releases and holds harmless the Missouri Office of Secretary of State, Secretary of State, Commissioner of Securities and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Bagwell stipulates and agrees that, should the facts contained or referenced herein prove to be false or incomplete, the Missouri Division of Securities and Bagwell preserve the right to pursue any and all legal or administrative remedies at their disposal.

**STIPULATIONS OF FACT**

8. Bagwell is a Missouri resident whose address is 2200 E. Sunshine St., Ste. 112 Springfield, Missouri 65804.
9. Bagwell was most recently associated as an agent with Andrew Garrett, Inc., from

June 26, 2002 to December, 2002.

10. Based on representations from his Branch Manager and Andrew Garrett, Inc.'s Compliance Department, Bagwell erroneously believed that he was registered as an agent in Missouri during his association with Andrew Garrett, Inc..
11. During the time he erroneously believed that he was registered as an agent with the State of Missouri, Bagwell transacted business as an agent with residents of Missouri.
12. Bagwell received no commissions or any other compensation from Andrew Garrett, Inc., as a result of his association with the firm.
13. On May 11, 2005, Bagwell first learned that he had not been properly registered as an agent of Andrew Garrett, Inc., (from June 26, 2002 to December, 2002) in Missouri after filing his application for registration as an investment adviser representative with DouglasBagwell & Co., a firm he controls which is seeking registration as an Investment Adviser in Missouri.

### **JURISDICTIONAL BASIS**

14. Bagwell and the Securities Division stipulate and agree that the Commissioner has jurisdiction over these matters pursuant to Section 409.204(a), RSMo 2000.
15. Bagwell and the Securities Division stipulate and agree that the Commissioner has authority to enter this Consent Order pursuant to Section 409.204(a), RSMo 2000, which provides that the commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.

### **ORDER**

**WHEREAS**, the Commissioner, after consideration of the stipulations set forth above and on consent of Douglas Bagwell and the Securities Division, finds the following Order to be in the public interest, necessary for the protection of public investors and consistent with the provisions of the Missouri Securities Act.

**NOW, THEREFORE**, it is hereby Ordered that:

1. Bagwell is prohibited from conducting business as an unregistered agent pursuant to §409.201(a), RSMo 2000.
2. Bagwell shall pay his own costs and attorneys fees with respect to this matter.
3. Bagwell shall pay \$3,000 to the Missouri Secretary of State's Investor Education and Protection Fund. Such amount shall be immediately due and payable.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,  
MISSOURI THIS 8<sup>TH</sup> DAY OF JULY, 2005.

ROBIN CARNAHAN  
SECRETARY OF STATE

(Signed/Sealed)  
DAVID B. COSGROVE  
COMMISSIONER OF SECURITIES

Consented to by:

Philip Toben  
Chief Registration Counsel  
Missouri Division of Securities

Douglas Bagwell