

State of Missouri  
Office of Secretary of State

Case No. AP-05-46

IN THE MATTER OF:

Walnut Street Advisers, Inc., CRD# 109903  
13045 Tesson Ferry Road  
St. Louis, MO 63128

Respondent.

**CONSENT ORDER**

1. The Missouri Securities Division alleges that Walnut Street Advisers, Inc., (“Walnut”) failed to properly complete the registration process of an investment adviser representative and that this allegation constitutes grounds for discipline pursuant to Section 409.4-403, RSMo Cum. Supp. 2004.
2. As referred to in this Consent Order Walnut shall be defined as “Respondent.”
3. Respondent desires to settle the allegations and the matters raised by the staff of the Securities Division relating to Respondent’s alleged violation of Missouri Securities Laws.
4. Respondent and the Securities Division consent to the issuance of the Consent Order.
5. Respondent’s, alleged failure to properly complete the registration process for an investment adviser representative is grounds for discipline pursuant to Section 409.4-403, RSMo Cum. Supp. 2004, thereby stipulate and agree 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.
6. Respondent waives their right to a hearing with respect to this matter.
7. Respondent stipulates and agrees that they waive any rights that they may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Further, Respondent 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.
8. Respondent stipulates and agrees that, should the facts contained herein prove to be false or incomplete, the Missouri Division of Securities preserves the right to pursue any and all legal or administrative remedies at its disposal.

**STIPULATIONS OF FACT**

9. Walnut is a Missouri corporation whose address is 13045 Tesson Ferry Road, St. Louis, MO 63128.
10. Jerry Christian is a Missouri resident whose business address is 3407 Knipp Drive, Jefferson City, Missouri 65102.
11. Walnut is a federally registered investment adviser conducting business in various states, including Missouri.
12. Christian is an investment adviser representative of Walnut.
13. On or about November 20, 2001, Christian became registered as an investment adviser representative on behalf of Walnut Street Advisers, Inc.
14. Walnut and Christian unsuccessfully attempted to transition to the new IARD system of registration.
15. Walnut and Christian erroneously believed that Christian was registered with the Securities Division.
16. Christian has been acting as an unregistered investment adviser from January 1, 2002 to August 1, 2005.

**JURISDICTIONAL BASIS**

1. Respondent and the Securities Division stipulate and agree that the Commissioner has jurisdiction over these matters pursuant to the Missouri Securities Act, Chapter 409, et al.
2. Respondent and the Securities Division stipulate and agree that the Commissioner has authority to enter this Consent Order pursuant to §409.6-604(h), RSMo Cumulative Supp. 2004, which provides:
  1. 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 stipulation set forth above and on consent of the Respondent 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. Respondent is prohibited from conducting business as an investment adviser and employing investment adviser representatives pursuant to §409.4-403, RSMo Cumulative Supp. 2004 unless that investment adviser representative is registered or exempt in the State of Missouri.
2. Respondent shall pay four thousand dollars (\$4,000) made payable as a civil penalty to the State of Missouri, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri.
3. Respondents shall pay their own costs and attorneys fees with respect to this matter.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 29<sup>TH</sup> DAY OF December, 2005.

ROBIN CARNAHAN  
SECRETARY OF STATE

(Signed/Sealed)  
MATTHEW D. KITZI  
ACTING COMMISSIONER  
OF SECURITIES

Consented to by:

Philip Toben  
Chief Registration Counsel  
Missouri Division of Securities

Consented to by:

Craig Markham  
President, Walnut Street Advisers  
Representative for Respondent