

State of Missouri  
Office of Secretary of State

Case No. AP-06-28

IN THE MATTER OF:

GREGORY DALE BERGMAN  
dba CLAYTON FINANCIAL GROUP  
CRD No. 2787786

*Respondent.*

Serve at:

546 NW Valleybrook Road  
Blue Springs, Missouri 64014

**FINAL ORDER TO CEASE AND DESIST AND ORDER IMPOSING CIVIL  
PENALTIES AND AWARDING COSTS**

On the 27th day of March, 2007, the Enforcement Section of the Securities Division, by and through Deputy Chief Counsel, Katie D. Whitman, submitted a Petition for Final Order to Cease and Desist and Payment of Civil Penalties and Costs (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of fact, conclusions of law, and order:

1. On December 19, 2006, Deputy Chief Counsel, Katie D. Whitman submitted a Petition for Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should Not Be Imposed.
2. On December 28, 2006, the Commissioner of Securities issued an Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should Not Be Imposed (the "C&D Order").
3. On January 20, 2007, the notice and copy of the C&D Order sent to Respondent was returned "Unclaimed" to the Commissioner.
4. On January 29, 2007, the Commissioner was served with process pursuant to Section 409.6-611(b), RSMo. (Cum. Supp. 2006). On January 29, 2007, notice of service and copies of the process were sent to Respondent, via registered U.S. Mail, at his last known address.
5. To date, neither Respondent, nor an attorney on his behalf, has requested a hearing and the Commissioner has not received any communication or contact from the Respondent.
6. In the Petition, the Enforcement Section of the Securities Division requested that the Commissioner issue an order requiring the Respondent to pay the costs of the investigation in this matter in the amount of three thousand three hundred and fifty-four dollars (\$3,354).
7. In the Petition, the Enforcement Section of the Securities Division requests that the Commissioner issue an order requiring that the Respondent pay a civil penalty in the amount of ten thousand dollars (\$10,000).
8. This order is in the public interest and consistent with the purposes intended by the Missouri Securities Act of 2003.

**ORDER**

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

The Cease and Desist Order entered in Case Number AP-06-28 on December 28, 2006, is **FINAL**.

- A. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent shall pay, within thirty (30) days from the date of service of this Order, the sum of four thousand dollars (\$4,000) to the State of Missouri as a civil penalty for multiple violations of Section 409.5-501(2), RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable 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. Respondent shall deliver this payment to the Securities Division, 600 West Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- B. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2006), Respondent shall pay, within thirty (30) days from the date of service of this Order, the additional sum of three thousand three hundred and fifty-four dollars (\$3,354) as reimbursement for the costs of the investigation and administration of this matter. This amount shall be sent to the Secretary of State and made payable to the Missouri Secretary of State's Investor Education and Protection Fund. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.

C. Pursuant to Section 409.6-604(f), RSMo. (Cum. Supp. 2006), this matter shall be referred to the Missouri Attorney General's Office to collect the fines and costs described in this Final Order, as necessary.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 29<sup>TH</sup> DAY OF MARCH, 2007.

ROBIN CARNAHAN  
SECRETARY OF STATE

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

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of March, 2007, copies of the foregoing Order in the above styled case were **mailed by certified U.S. Mail, postage prepaid, to:**

Gregory Dale Bergman  
546 NW Valleybrook Road  
Blue Springs, Missouri 64014

**And hand delivered to:**

Katie Whitman  
Deputy Chief Counsel  
Securities Division

John Hale  
Specialist