

State of Missouri
Office of Secretary of State

Case No. AP-07-59

IN THE MATTER OF:

CENTRAL MISSOURI COMMODITIES,
INC., THOMAS STUART, TONYA D.
BEAMER and R.J. O'BRIEN &
ASSOCIATES, LLC

CONSENT ORDER

THE COMMISSIONER OF SECURITIES, having reviewed the filings and submissions in this matter, hereby finds and orders the following:

Summary of Proceedings and Actions

1. The above-titled proceeding has come before the Commissioner of Securities through the October 22, 2007 submission of a "Petition for Order to Cease and Desist, Show Cause Why Civil Penalties and Other Administrative Relief" (the "Petition") by the Enforcement Section of the Missouri Securities Division (the "Enforcement Section").
2. In the Petition, the Enforcement Section alleged that Central Missouri Commodities, Inc., Thomas Stuart, Tonya D. Beamer and R.J. O'Brien & Associates, LLC (collectively, the "Respondents") violated Section 409.810(3), RSMo., in connection with their relationship with a Missouri investor/client who traded commodities through or with the assistance of the Respondents.
3. Following submission of the Petition, the Enforcement Section and the Respondents have engaged in negotiation of a consent order.
4. The Enforcement Section and the Respondents desire to resolve this matter and avoid the cost and inconvenience of litigation or further administrative proceedings.
5. The Enforcement Section and the Respondents have submitted to the Commissioner their agreement, dated April 2, 2008, to settle all issues in this matter on the merits (the "Settlement Agreement").

Findings

6. The Enforcement Section has alleged that it has jurisdiction over the Respondents and sought relief as parens patriae for the citizens of Missouri.
7. The Respondents deny that the Enforcement Section has any jurisdiction or authority over the Respondents and further deny that the Enforcement Section is entitled to any relief on the merits.
8. The Respondents deny any wrongdoing alleged in the Petition whatsoever.
9. As a component of the Settlement Agreement, and in exchange for Respondents' agreement to pay certain amounts described below, the Enforcement Section has agreed to dismiss the Petition with prejudice and to seek an order effecting the same.
10. As a component of the Settlement Agreement, and in exchange for the Enforcement Section's agreement to dismiss and seek the dismissal of the Petition, the Respondents have agreed to pay certain amounts described below.

Jurisdiction and Other Actions

11. The Respondents and the Enforcement Section agree that the Commissioner of Securities has authority to enter this Consent Order.
12. The Respondents and the Enforcement Section agree to waive their right to a hearing with respect to this matter, to judicial review of this matter, or to otherwise challenge or contest the terms and conditions of this Consent Order.
13. The Respondents specifically forever release and hold harmless the Missouri Office of Secretary of State, Secretary of State, Commissioner and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
14. The Respondents agree and acknowledge that neither this Consent Order nor any other filing or submission related to this matter limits the jurisdiction or the authority of the Commodity Futures Trading Commission, the National Futures Association, the United States Department of Justice, or the criminal prosecutor for Audrain County, Missouri, in any manner whatsoever.

15. The Commissioner, after consideration of the above and with the consent of the Respondents and the Enforcement Section, finds this Consent Order to be in the public interest and necessary for the protection of public investors, and consistent with the provisions of Chapter 409, RSMo.

ORDER

NOW, THEREFORE, it is hereby **AGREED** and **ORDERED** that:

- A. Respondents Central Missouri Commodities, Inc., Thomas Stuart and Tonya D. Beamer (collectively, the "CMC Respondents"), shall pay the total amount of Thirty Two Thousand Seven Hundred Twenty One Dollars and Five Cents (\$32,721.05) to the Missouri Secretary of State's Investor Restitution Fund within thirty (30) days of the date of this Consent Order. Such payment must be by cashier's check or money order payable to the Missouri Secretary of State's Investor Restitution Fund. The CMC Respondents must deliver or send its payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102. The Division shall forward these funds to the Investor Restitution Fund to be paid to the investor as identified in Paragraph 2.B of the Settlement Agreement. Each of the CMC Respondents shall be jointly and severally liable for the amount stated in this Section A.
- B. The CMC Respondents shall pay the total amount of Thirty Two Thousand Two Hundred Seventy Eight Dollars and Ninety-Five Cents (\$32,278.95) to the Missouri Investor Education and Protection Fund within thirty (30) days of the date of this Consent Order. Such payment must be by cashier's check or money order payable to the Missouri Investor Education and Protection Fund. The CMC Respondents must deliver or send its payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102. Each of the CMC Respondents shall be jointly and severally liable for the amount stated in this Section B.
- C. The Petition is hereby **DISMISSED WITH PREJUDICE** as to all Respondents hereto.
- D. All parties 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 18th DAY OF APRIL, 2008.

ROBIN CARNAHAN
SECRETARY OF STATE

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

CONSENTED TO BY:

CENTRAL MISSOURI COMMODITIES

TONYA D. BEAMER

THOMAS STUART

Approved as to form by counsel for the
CMC Respondents:

ENFORCEMENT SECTION,
MISSOURI SECURITIES DIVISION
