

STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT

IN THE MATTER OF: PATRICIA BISCH GREEN

)
) FILE NO. 0200857
)

ORDER OF REVOCATION

TO THE RESPONDENT:

Patricia Bisch Green
(CRD#: 1320375)
419 Sandman Street
Houston, Texas 77007

c/o SWS Financial Services
1201 Elm Street, Suite 3500
Dallas, Texas 75270

WHEREAS, the above-captioned matter came on to be heard on June 4, 2003, pursuant to the Notice of Hearing dated April 9, 2003, FILED BY petitioner Secretary of State, and the record of the matter under the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") has been reviewed by the Secretary of State or his duly authorized representative.

WHEREAS, the rulings of the Hearing Officer on the admission of evidence and all motions are deemed to be proper and are hereby concurred with by the Secretary of State.

WHEREAS, the proposed Findings of Fact, Conclusions of Law and Recommendations of the Hearing Officer, Soula J. Spyropoulos, Esq. in the above-captioned matter have been read and examined.

WHEREAS, the proposed Findings of Fact of the Hearing Officer correct and are hereby adopted as the Findings of Fact of the Secretary of State:

1. Section 130.1102 of Subpart K of the Rules and Regulations of the Illinois Securities Law of 1953 (the "Rules and Regulations") states that each Respondent shall be given a Notice of Hearing at least 45 days before the first date set for any hearing under the Act. Proper notice is given by depositing a Notice of Hearing with the United States Postal Service (the

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“U.S.P.S.”), either by certified or registered mail, return receipt requested, or by the personal service, of the Notice of Hearing to the last known address of the Respondent.

As per Exhibit 1, on April 9, 2003, the Department deposited the Notice of Hearing on the File, the Notice, with the U.S.P.S. by certified mail, return requested, to both Respondent’s last known personal residence and last known place of business. The Notice was, thus, given on April 9, 2003. The Notice marks as the first date set for hearing the date of June 4, 2003, a date over 45 days after Respondent was given the Notice. Therefore, the Department’s service of the Notice upon Respondent was proper.

2. Section 11.F(1) of the Act provides that the Secretary of State shall not undertake any action or impose a fine against a registered salesperson of securities within the State of Illinois for a violation of the Act without first providing the salesperson an opportunity for hearing upon not less than 10 days’ notice given by personal service or registered mail or certified mail, return receipt requested, to the person concerned.

As per Exhibit 1, Respondent was properly notified of her opportunity to be heard on the File via the Department’s timely provision thereto of the Notice. As discussed in paragraph 1 above, the Department served the Notice upon Respondent on April 9, 2003, a date well over 10 days before the Respondent’s scheduled opportunity to be heard on June 4, 2003. Therefore, because the Department gave proper notice of the hearing to Respondent, the Department has personal jurisdiction over Respondent.

3. Respondent failed to appear, whether personally or through counsel, at the hearing. Nonetheless, even though Respondent did not appear at the hearing, the Department then submitted to the Hearing Officer for entry into evidence any and all documentation submitted by Respondent to the Department, received by the Department on April 28, 2003 and previously marked for identification “Exhibit 2.”

At the hearing, the Department offered additional and further exhibits, identified above, each of which was received and admitted into evidence, a proper record of all proceedings having been made and preserved as required.

4. No outstanding petitions, motions, or objections exist as to this proceeding.
5. At all material and relevant times Respondent was registered with the Secretary of State as a salesperson pursuant to Section 8 of the Act.

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On July 2, 2002, NASD entered a Letter of Acceptance, Waiver, and Consent (the "AWC") submitted by Respondent regarding File or Complaint C06020007, which imposed the following sanctions:

- a. A fine in the amount of \$15,000.00; and
- b. Suspension from association with any member of the Association in any capacity for a period of fifteen (15) business days.

The AWC found:

- a. On or about September 2000, Respondent effected, or caused to be effected, approximately 4 transactions in the securities account of a public customer and existed discretionary power in that customer's accounts without prior written authorization from the customer or acceptance in writing by Fiserv (Respondent's employing dealer) of the account as discretionary. The 4 transactions involved purchases of securities totaling approximately the amount of \$237,679.

The aforementioned acts, practices, and conduct constitute separate and distinct violations of Conduct Rules 2110 and 2510(b) by the Respondent.

- b. During the period from August through December of the year 2000, Respondent failed to follow a customer's instructions to place stop-loss orders for all equity positions in the customer's account when Respondent failed to reinstate certain expired stop-loss orders on certain positions and failed to place stop-loss orders on other positions. Respondent's failure to follow the customer's instructions resulted in losses to the customer in an amount exceeding the amount of \$300,000.00.

The aforementioned acts, practices, and conduct constitute separate and distinct violations of Conduct Rule 2110 by Respondent.

WHEREAS, the proposed Conclusions of Law made by the Hearing Officer are correct and are hereby adopted as the Conclusions of Law of the Secretary of State:

1. The Secretary of State has jurisdiction over the subject matter hereof pursuant to the Act.
2. Section 8.E(1)(j) of the Act provides, *inter alia*, that the registration of salespeople registered within the State of Illinois may be revoked if the Secretary of State finds that such have been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in

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violation of any rule, regulation, or standard duly promulgated by the self-regulatory organization.

3. Respondent is a registered salesperson of securities in the State of Illinois who has entered against her an order, the Letter of AWC, that, because of Respondent's having bought and sold securities on behalf of a customer without his prior knowledge, authorization, or consent, not only fines her, but also suspends her from associating with any NASD member firm in any capacity for fifteen (15) calendar days (the sanctions having been effective on a date that was set by NASD staff). Respondent's actions were, thus, in contravention of, or violative of, Conduct Rule 2110 of NASD, a self-regulatory organization registered under the Federal 1934 Act.

Therefore, the suspension of Respondent in the order clearly arose from fraudulent or deceptive acts or practices in violation of rules, regulations, or standards duly promulgated by a self-regulatory organization registered under the Federal 1934 Act.

4. Under and by virtue of the foregoing, Respondent's registration as a salesperson of securities in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.

WHEREAS, the Hearing Officer recommended that the Secretary of State should revoke the Respondent's registration as a salesperson in the State of Illinois, and the Secretary of State adopts in its entirety the Recommendation made by the Hearing Officer.

NOW THEREFORE, IT SHALL BE AND IS HEREBY ORDERED:

1. That Patricia Bisch Green registration as a salesperson in the State of Illinois is revoked pursuant to the authority provided under Section 8.E(1)(j) of the Act.
2. That this matter is concluded without further proceedings.

Dated: This ___ day of November 2003.

JESSE WHITE
Secretary of State
State of Illinois

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This is a final order subject to administrative review pursuant to the Administrative Review Law [735 ILCS 5/3-101 et seq.] and the Rules and Regulations of the Act (14 Ill. Admin. Code, Ch. 1 Sec. 130.1123). Any action for judicial review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.