

**STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT**

**IN THE MATTER OF: WILLIAM H. PLUCHEL**

**FILE NO. 0400545**

**CONSENT ORDER OF WITHDRAWAL**

TO THE RESPONDENT: William H. Pluchel  
(CRD #830293)  
14228 North 3<sup>rd</sup> Avenue  
Phoenix, Arizona 85254

C/o Banc of America Investment Services, Inc.  
101 South Tryon Street, 33<sup>rd</sup> Floor  
Charlotte, North Carolina 28255

WHEREAS, Respondent on the 28th day February of 2005 executed a certain Stipulation to Enter Consent Order of Withdrawal (the "Stipulation"), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, Respondent has admitted to the jurisdiction of the Secretary of State and service of the Notice of Hearing of the Secretary of State, Securities Department dated November 3, 2004 in this proceeding (the "Notice") and Respondent has consented to the entry of this Consent Order of Withdrawal ("Consent Order").

WHEREAS, by means of the Stipulation, the Respondent acknowledged, without admitting or denying the truth thereof, that the following allegations contained in the Notice of Hearing shall be adopted as the Secretary of State's Findings of Fact:

1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act.
2. That on May 6, 2002 the Respondent was charged with "Attempted Sexual Abuse, Class 6 Undesignated Offense-Count 1, Plea accepted" in Maricopa County, Arizona. He served one (1) year probation from

Consent Order of Withdrawal

- 2 -

October, 2002 to November 2003. Upon completion of the period of probation, the charges were reduced to a misdemeanor by court order.

3. That the Respondent failed to amend his "U-4" Form to reflect this criminal matter until August 10, 2004.
4. That Section 8(c)(8) of the Act, provides that any change which renders no longer accurate any information contained in any application for registration or re-registration as a salesperson shall be reported to the Secretary of State within 10 business days of the occurrence of such change.
5. That the Respondent's failure to report the occurrence of this criminal matter by amendment to his U-4 Form for over two (2) years constitutes a change in his application for registration or re-registration.
6. That Section 12.D of the Act, *inter alia*, that it shall be a violation of the provisions of the Act for any person to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
7. That by virtue of the foregoing, the Respondent has committed a violation of Section 12.D of the Act.
8. That Section 8.E(1)(g) of the Act provides that the registration of a salesperson may be revoked if he has violated any of the provisions of this Act.
9. That Section 8.E(1)(h) of the Act provides that the registration of a salesperson may be revoked if he has made any material misrepresentation to the Secretary of State in connection with any information deemed necessary by the Secretary of State to determine a salesperson's business repute or qualifications, or has refused to furnish any such information requested by the Secretary of State.

WHEREAS, by means of the Stipulation Respondent has acknowledged, without admitting or denying the averments, that the following shall be adopted as the Secretary of State's Conclusion of Law:

That by virtue of the foregoing, the Respondent's registration as a salesperson in the State of Illinois is subject to revocation pursuant to Sections 8.E(1)(g) and (h) of the Act.

Consent Order of Withdrawal

- 3 -

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that:

1. He shall cause to have his registration as a salesperson in the State of Illinois withdrawn within three (3) days from the entry of this Consent Order and will not re-apply for registration for a period of two (2) years from the entry of this Consent Order; and
2. He shall pay the sum of Five Hundred dollars (\$500.00) to the Office of the Secretary of State, Investors Education Fund as reimbursement to cover the cost of investigation of this matter. Said sum shall be payable by means of certified or cashiers check and made to the order of the Secretary of State, Investors Education Fund and shall be due within thirty (30) days from the entry of this Consent Order.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has determined that the matter related to the aforesaid formal hearing may be dismissed without further proceedings.

NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

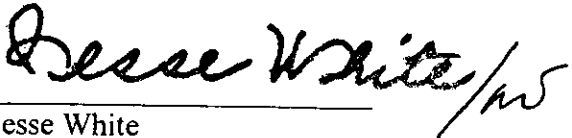
1. William H. Pluchel shall cause to have his registration as a salesperson in the State of Illinois withdrawn within three (3) days from the entry of this Consent Order and will not re-apply for registration for a period of two (2) years from the entry of this Consent Order.
2. William H. Pluchel shall pay the sum of Five Hundred dollars (\$500.00) to the Office of the Secretary of State, Investors Education Fund as reimbursement to cover the cost of investigation of this matter. Said sum shall be payable by means of certified or cashiers check and made to the order of the Secretary of State, Investors Education Fund and shall be due within thirty (30) days from the entry of this Consent Order.

Consent Order of Withdrawal

- 4 -

3. The formal hearing scheduled on this matter is hereby dismissed without further proceedings

DATED: This 8<sup>th</sup> day of March 2005.

A handwritten signature in black ink that reads "Jesse White" followed by a stylized flourish that appears to be "JW".

Jesse White  
Secretary of State  
State of Illinois