

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 CARL J. KUNASEK

Chairman

3 JIM IRVIN

Commissioner

4 WILLIAM A. MUNDELL

Commissioner

5 In the matter of)

6 LINDZON & ASSOCIATES LLC)

2398 East Camelback Road)

Suite 900)

8 Phoenix, Arizona 85016)

9 Respondent.)

) DOCKET NO. S-03416A-00-0000

) DECISION NO. _____

) **FINAL ORDER FOR RELIEF AND
CONSENT TO SAME**

10)
11 **I.**

12 **INTRODUCTION**

13 LINDZON & ASSOCIATES LLC (“LINDZON”) elects to permanently waive its right to a
14 hearing and appeal under Articles 7 and 8 of the Arizona Investment Management Act (the “Act”) with
15 respect to this Final Order for Relief and Consent to Same (“Order”); admits the jurisdiction of the
16 Arizona Corporation Commission (“Commission”); admits the Findings of Fact and Conclusions of Law
17 contained in this Order; and consents to entry of this Order by the Commission.

18 **II.**

19 **FINDINGS OF FACT**

20 1. LINDZON, an Arizona limited liability company whose last known address is 2398 East
21 Camelback Road, Suite 900, Phoenix, Arizona 85016, was at all relevant times conducting business in
22 the state of Arizona as an investment adviser.

23 2. LINDZON became effectively licensed as an investment adviser in Arizona on June 23,
24 1998.

25 3. Since on or about June 23, 1998, LINDZON has acted as an investment adviser for
26 Lindzon Capital Partners LP and has had custody of the limited partnership’s assets.

1 for the protection of investors.

2 1. IT IS ORDERED that, pursuant to A.R.S. §44-3292, LINDZON CEASE AND DESIST
3 from further violations of the Arizona Investment Management Act.

4 2. IT IS FURTHER ORDERED, that pursuant to A.R.S. §44-3296, LINDZON shall pay an
5 administrative penalty in the amount of \$2,500 upon entry of this Order. Said penalty shall be deposited
6 into the general fund of the state of Arizona.

7 3. IT IS FURTHER ORDERED, that this Order shall become effective immediately.

8 BY ORDER OF THE ARIZONA CORPORATION COMMISSION

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10
11 _____
CHAIRMAN

COMMISSIONER

COMMISSIONER

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13 IN WITNESS WHEREOF, I, Brian C. McNeil, Executive
14 Secretary of the Arizona Corporation Commission, have
15 hereunto set my hand and caused the official seal of the
16 Commission to be affixed at the Capitol, in the City of
17 Phoenix, this ____ day of _____, 2000.

18 _____
19 BRIAN C. McNEIL
20 Executive Secretary

21
22 _____
DISSENT

23 (MJN)

24
25 This document is available in alternative formats by contacting Cynthia Mercurio-Sandoval, ADA
26 Coordinator, voice phone number 602/542-0838, E-mail csandoval@cc.state.az.us.

CONSENT TO ENTRY OF ORDER BY THE COMMISSION
AND WAIVER OF HEARING

LINDZON & ASSOCIATES LLC (“LINDZON”) acknowledges that it has been fully advised of its right to a hearing to present evidence and call witnesses. LINDZON waives all hearing procedures and rights to appeal provided by the Arizona Investment Management Act and Title 14 of The Arizona Administrative Code with respect to the Final Order for Relief and Consent to Same (“Order”).

LINDZON admits the jurisdiction of the Arizona Corporation Commission with respect to all matters set forth in the Order.

LINDZON admits the Findings of Fact and Conclusions of Law contained in the Order.

LINDZON states that signing this Consent to Entry of Order by the Commission and Waiver of Hearing (“the Consent”) is a voluntary act and that no promise was made nor coercion used to induce it to enter into this Consent. By entering into this Consent, LINDZON hereby agrees to the terms set forth in the Order, which is incorporated herein by reference.

LINDZON acknowledges that the Commission’s acceptance of the Order does not preclude the Commission, or any other agency or officer of this State, or subdivision thereof, or any other person

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1 from instituting other civil or criminal proceedings as may be appropriate now or in the future.
2 Howard A. Linzon represents that he is managing member of LINDZON and that, as such, has been
3 authorized by LINDZON to sign this Consent for and on behalf of LINDZON.

4
5 LINDZON & ASSOCIATES LLC

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7
8 BY: HOWARD A. LINDZON
9 TITLE: Managing member

10
11 SUBSCRIBED TO AND SWORN BEFORE me this ____ day of _____,
12 2000.

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14
15 NOTARY PUBLIC

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18 My Commission Expires:
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