

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
)
LIKE MINDED INC.)
A&S INVESTMENT CLUB)
GARY LAMAR ROBERTSON)
TYESHIA LAQUITA ROBERTSON)

RESPONDENTS)

ADMINISTRATIVE ORDER
NO. CD-2007-0003

CEASE AND DESIST ORDER

The Alabama Securities Commission ("Commission"), having authority to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, the Alabama Securities Act ("Act"), upon due consideration of the subject matter hereof, and having confirmed information of the offers for sale and/or sale of securities, into, within or from the state of Alabama, has determined as follows:

RESPONDENTS

1. LIKE MINDED INC. ("LMI"), doing business as A&S INVESTMENT CLUB ("ASIC"), is an Alabama Corporation, with a commercial address of 8315 Suite F 1st Avenue North Birmingham, Alabama 35206.
2. GARY LAMAR ROBERTSON, ("G. Robertson") with a residential address of 5491 Somersby Parkway, Pinson, Alabama 35126, at all times relevant to this order acted as an agent for ASIC and LMI.
3. TYESHIA LAQUITA ROBERTSON, aka: JOHNSON, ("T. Robertson") with a residential address of 5491 Somersby Parkway, Pinson, Alabama 35126 at all times relevant to this Order acted as an agent for ASIC and LMI.

STATEMENT OF FACTS

4. Between October 2003 and July 2005, G. Robertson and T. Robertson created ASIC and traveled to South Carolina each month to conduct meetings, provide investment advice, sell interests in ASIC and solicited funds from 20 to 30 South Carolina residents.

5. In October of 2003, T. Robertson, sold an interest in a blind pool investment fund with ASIC to a South Carolina resident representing that the solicited funds would be traded through a registered broker dealer. The funds received were deposited in T. Robertson's Compass Bank account in Birmingham, Alabama.

6. In March of 2004, G. Robertson, sold an interest in a blind pool investment fund with ASIC to a South Carolina resident representing that the solicited funds would be traded through a registered broker dealer. The funds received were deposited in G. Robertson/LMI SouthTrust Bank account in Birmingham, Alabama.

7. RESPONDENTS represented to the investors that RESPONDENTS would manage the ASIC pooled funds invested in order to make profits from trading activity which were to be executed through a registered broker dealer.

8. In August of 2004 and April 2005 G. Robertson did, on behalf of ASIC, send a South Carolina resident investor two letters which indicated an inaccurate status and profitability of the investor's ASIC account.

9. In July 2006 and November 2006 a review of the Alabama Securities Commission files disclosed no record of registration for the RESPONDENTS as Dealer, Agent, Investment Advisor, or Investment Advisor Representative in the State of Alabama.

10. In July 2006 a review of the Alabama Securities Commission files disclosed no record of registration or exemption for the securities offered or sold by the RESPONDENTS.

CONCLUSIONS OF LAW

11. Pursuant to Section 8-6-2(10), Code of Alabama 1975, the definition of "security" includes any investment contract. The offerings made by G. Robertson and T. Robertson in paragraphs 5 and 6 fall within the definition of an investment contract and are therefore securities under the Act.

12. Pursuant to Section 8-6-2(2), Code of Alabama 1975, the definition of "agent" includes any individual who represents an issuer in effecting sales of securities. Respondent actions in paragraphs 5 and 6 indicated that G. Robertson and T. Robertson acted as agents of LMI and ASIC under the Act.

13. Pursuant to Section 8-6-2(18), Code of Alabama 1975, the term "investment adviser" includes any person, who, for compensation, engages in the business of advising others as to the value of securities or as to the advisability of investing in, purchasing, or selling securities. The actions by G. Robertson and T. Robertson in paragraphs 4 through 8 indicate that respondents provided investment advice in a blind pool investment fund, and are investment advisers under the Act.

14. Pursuant to Section 8-6-3, Code of Alabama 1975, it is unlawful for any person to transact business in this state as a Dealer, Agent, Investment Advisor, or Investment Advisor Representative unless he is registered under this article. RESPONDENTS are not registered as a Dealer, Agent, Investment Advisor, or Investment Advisor Representative in the State of Alabama, and have effected security transactions, from the state of Alabama, with a South Carolina resident in violation Section of 8-6-3 of the Act.

15. Pursuant to Section 8-6-4, Code of Alabama 1975, it is unlawful for any person to offer or sell any security in this state unless it is registered or exempt under this Act. A review of the Alabama Securities Commission files disclosed no record of registration for the securities offered and sold by RESPONDENTS. RESPONDENTS offered the securities, from Alabama, to South Carolina residents in violation of Section 8-6-4 of the Act.

This Order does not prevent the Alabama Securities Commission from seeking such other administrative, civil or criminal remedies that are available to it under the Act.


This Order is appropriate in the public interest for the protection of investors and is consistent with the purposes of the Act.

ACCORDINGLY, IT IS HEREBY ORDERED that the RESPONDENTS immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 30th day of January, 2007.

ALABAMA SECURITIES COMMISSION
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BY:


J. Randall McNeill
Deputy Director

