

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
)
M. J. WENNING & ASSOCIATES)
MICHAEL J. WENNING)
)
RESPONDENTS)

ADMINISTRATIVE ORDER
NO. CD-2006-0039

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 the transacting of business as an unregistered Investment Advisor/Investment Advisor Representative, into, within or from the state of Alabama, has determined as follows:

RESPONDENT

1. M. J. WENNING & ASSOCIATES (CRD# 1352343) is represented to be an Alabama entity, with a business address of 2016 Glen Eagle Lane, Birmingham, AL 35242, and a mailing address of P.O. Box 380876 Birmingham, AL 35238-0876.

2. MICHAEL J. WENNING (CRD# 122885) is the sole owner of M. J. WENNING & ASSOCIATES, with a business address of 2016 Glen Eagle Lane, Birmingham, AL 35242, and a mailing address of P.O. Box 380876 Birmingham, AL 35238-0876.

STATEMENT OF FACTS

3. Between April 25, 1996, and December 31, 2002, M. J. WENNING &

ASSOCIATES and MICHAEL J. WENNING were registered in the state of Alabama as an Investment Advisor and Investment Advisor Representative, respectively.

4. On January 1, 2003, the registration status of RESPONDENTS was terminated because renewal fees were not paid.

5. On August 15, 2005, RESPONDENTS confirmed to the Commission that they had not paid renewal fees to the Commission since 2002.

6. Documents provided by RESPONDENTS, at the request of the Commission, revealed that RESPONDENTS continued to collect fees for acting as an Investment Advisor and/or Investor Advisor Representative from January 1, 2003 to present.

7. Review of the files of the Commission disclosed no record of registration, or exemption from registration, for RESPONDENTS as an Investment Advisor, Investment Advisor Representative, Broker Dealer or Broker Dealer Representative, in the state of Alabama, from January 1, 2003 to present.

CONCLUSIONS OF LAW

8. RESPONDENTS from January 1, 2003 to present, as a part of a regular business, provided investment advisory services to Alabama residents without benefit of registration.

9. Transacting business in the state of Alabama as an Investment Advisor or Investment Advisor Representative, while unregistered, is a violation of Section 8-6-3(b), Code of Alabama 1975.

This Order does not prevent the Commission from seeking such other 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 consistent with the purpose of the Act.

ACCORDINGLY, IT IS HEREBY ORDERED that M. J. WENNING and MICHAEL J. WENNING, immediately **CEASE AND DESIST** from any investment advisory activities into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 7th day of November, 2006.



ALABAMA SECURITIES COMMISSION
770 Washington Avenue, Suite 570
Montgomery, AL 36130-4700
(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "JP Borg", is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

JOSEPH P. BORG
Director