

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:	)	
	)	
BRIAN ALAN BLACKMON	)	ADMINISTRATIVE ORDER
	)	NO. OB-2005-02
<u>RESPONDENT</u>	)	

ORDER OF PERMANENT BAR

The Alabama Securities Commission ("Commission"), having the authority to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, Code of Alabama 1975, upon due consideration of the subject matter hereof, has determined as follows:

RESPONDENT

1. ALAN BLACKMON ("RESPONDENT") was registered in Alabama as an agent of Horowitz and Associates from October 27, 2003 until November 2004, with a business address of 900 Bob Wallace Avenue, Suite 124, Huntsville, Alabama 35801.

STATEMENT OF FACTS

2. RESPONDENT was previously employed as a registered agent of Horowitz and Associates. Horowitz and Associates terminated RESPONDENT'S employment on November 5, 2004, on the grounds that RESPONDENT violated the firm's written supervisory policies regarding advertising and communications with the public.

3. In November 2004, the Commission received information from an Alabama resident that RESPONDENT was conducting seminars in the Huntsville, Alabama area that focused on tax and investment related issued with a specific focus on the

retirement community. Information received by the Commission was that RESPONDENT distributed advertising and sales material at these seminars which misled the public concerning his qualifications and credentials.

4. On January 4, 2005, the Commission issued an Order to Show Cause why RESPONDENT's registration as an Agent should not be permanently barred in the state of Alabama. The Show Cause Order contended that BLACKMON had violated the provisions of the Alabama Securities Act, §8-6-3(j)(7), and had engaged in dishonest or unethical practices in the securities business.

5. The Show Cause Order was resolved between RESPONDENT and the Commission in the Securities Commission's Administrative Consent Order No. 2005-02, dated July 31, 2006.

6. In the Consent Order, RESPONDENT agreed to provide the Alabama Securities Commission with a list of the names and addresses of his securities clients and the securities products sold to his clients during the previous 12 months. This list was to be provided to the Commission within 30 days from July 31, 2006.

7. RESPONDENT failed to provide the Commission with a list of his securities clients.

CONCLUSIONS OF LAW

8. RESPONDENT failed to comply with the terms of Consent Order No. 2005-02.

9. Pursuant to the provisions of Section 8-6-3(j), Code of Alabama 1975, the Alabama Securities Commission may bar any person from employment with a securities

dealer or investment adviser or restrict or limit any person as to any function or activity of the business for which registration is required in this state if the Commission finds that the Order is in the public interest and that the person has failed to comply with the provisions of the Alabama Securities Act.

10. RESPONDENT's failure to comply with Consent Order No. 2005-02 was in violation of the Alabama Securities Act and the Commission has grounds to permanently bar RESPONDENT from registration.

WHEREAS, RESPONDENT has voluntarily agreed to waive all rights to a hearing and has consented to the entry of this Order; and

WHEREAS, the Commission has determined that this Order is necessary and appropriate and in the public interest for the protection of investors and consistent with the purposes of the Securities Act; and

WHEREAS, the Commission and RESPONDENT are desirous of settling this matter as hereinafter set forth and agree to the entry of this Order;

ACCORDINGLY, IT IS HEREBY ORDERED as follows:

1. RESPONDENT is permanently barred from conducting or being involved in any business relating to the sale of securities, effecting or attempting to effect the sale of securities, or advising others, either directly or indirectly, as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or issuing or promulgating analyses or reports concerning securities, whether as a service or for compensation.

2. RESPONDENT is permanently barred from all involvement in any business relating to the sale of securities.

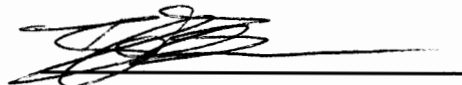
3. RESPONDENT is permanently barred from all involvement in any investment advisory business.

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

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

ACCORDINGLY, IT IS HEREBY ORDERED that RESPONDENT be permanently barred from registration as a Broker, Broker-Dealer Agent, Investment Adviser or Investment Adviser Representation, in the state of Alabama.

Entered at Montgomery, Alabama this the 19th day of April, 2007.

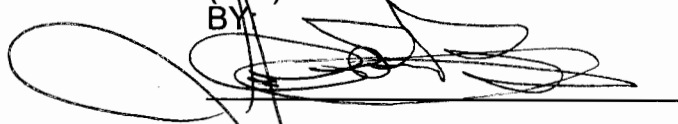


BRIAN ALAN BLACKMON

ALABAMA SECURITIES COMMISSION

770 Washington Avenue, Suite 570
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(334) 242-2984

BY:



JOSEPH P. BORG
Director

Signed by Joseph P. Borg on April 19, 2007

