

STATE OF NORTH CAROLINA



Department of The
Secretary of State

In The Matter Of:

THE NORTH CAROLINA SECURITIES DIVISION,

Petitioner,

vs.

Palmetto Premier Advisors, LLC
CRD #282960
820 Tyvola Road, Suite 201
Charlotte, North Carolina 28217; and

Michael Paul Lessard, Jr.
CRD #5968857

Respondents.

SUMMARY ORDER
OF
POSTPONEMENT OF
REGISTRATION

FILE NO. 16SEC033

Pursuant to the authority granted by Chapter 78C of the North Carolina General Statutes (the North Carolina Investment Advisers Act, hereinafter the "Act") and the administrative rules promulgated thereunder, the Securities Division of the Department of the Secretary of State (hereinafter the "Division") has investigated the application of Palmetto Premier Advisors, LLC to be registered in North Carolina as an investment adviser, in order to determine whether it is in the public interest of the citizens of North Carolina to allow such registration.

The Division has filed an Administrative Petition against the above-named Respondents seeking, among other remedies, a summary postponement, pursuant to the provisions of N.C.G.S. §78C-19(c), of the registration of Respondent Palmetto Premier Advisors, LLC to transact business as an investment adviser in North Carolina.

Based upon the information derived from the aforesaid investigation, the Deputy Securities Administrator, acting in the public interest and for the purpose of protecting investors and clients, makes the following:

FINDINGS OF FACT

1. This proceeding has been commenced pursuant to the authority of the Administrator under the North Carolina Investment Advisers Act, N.C.G.S. §78C-19(a).
2. It is the statutory policy of the North Carolina Investment Advisers Act that it shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it and to coordinate the interpretation and administration of the Act with the related federal regulation.
3. Respondent Palmetto Premier Advisors, LLC is a limited liability company organized and existing under the laws of the State of South Carolina which maintains its principal place of business at 820 Tyvola Road, Suite 201, North Carolina. Respondent Palmetto Premier Advisors, LLC filed an incomplete application for registration as an investment adviser in North Carolina on March 22, 2016. Respondent completed its application filing on June 14, 2016.
4. Respondent, Michael Paul Lessard, Jr. (hereinafter “Lessard”) is the sole Managing Principal and CCO of Respondent Palmetto Premier Advisors, LLC and, as such, occupies a position of control and authority with respect to said Respondent.
5. Although Lessard is registered (since October 13, 2014) as a salesman of securities with Southeast Investments, N.C., Inc. (hereinafter “SEINC”), a registered dealer of securities in North Carolina, his registration status with Financial Industry Regulatory Authority (hereinafter “FINRA”) is currently *suspended*.

6. Prior to his registration with SEINC, Lessard was registered as a securities salesman with MetLife Securities Inc. (hereinafter "MetLife"), beginning June 12, 2012 and ending on September 19, 2014.
7. On July 6, 2014, while registered as a securities salesman with MetLife, Lessard forged a client's signature to an application for the purchase of a fixed annuity contract.
8. On July 6, 2014, Lessard entered false information into his firm's customer contact logs to make it appear that he had a telephone conversation on July 6 with the client whose signature he just forged.
9. As a result of admitting to the forgery and falsification of the firms' books and records, MetLife terminated Lessards' registration as a securities salesman in North Carolina and every other state where he was so registered.
10. After Lessard was terminated from employment with MetLife, the North Carolina Department of Insurance and Lessard agreed to a voluntary settlement that included the imposition and payment of a civil penalty of five hundred dollars (\$500.00).
11. As a result of the forgery and falsification as described in Paragraphs 7 and 8 above, on March 14, 2016, FINRA imposed a ten thousand dollar (\$10,000.00) fine against Lessard and suspended Lessard for four (4) months from association with any FINRA member firm in all capacities.
12. According to the FINRA filing that disclosed the fine and suspension, Lessards' four month suspension began April 4, 2016. Consequently, Lessard cannot be associated with any FINRA member firm in any capacity until August 4, 2016.
13. The act of forgery described in Paragraph 7 above, constitutes engaging in a dishonest or unethical practice in the securities business pursuant to N.C.G.S. §78A-39(a)(2)(g) and 18 NCAC 06A. 1414(d).

14. The act of falsifying firm records as described in Paragraph 8 above, constitutes engaging in a dishonest or unethical practice in the securities business pursuant to N.C.G.S. §78A-39(a)(2)(g) and 18 NCAC 06A. 1414(c)(10) and 18 NCAC 06A .1414(b)(26). These sections state that the establishing, maintaining or operating an account containing fictitious information is a dishonest or unethical business practice.

15. The activities of Lessard described in Paragraph 7 and 8 above, constitute willful violations of Chapter 78A (the North Carolina Securities Act) and/or any rule under Chapter 78A.

16. Pursuant to the provisions of N.C.G.S. §§78C-19(a)(2)(b), the application for registration of Respondent Palmetto Premier Advisors, LLC as an investment adviser in North Carolina is subject to denial as the result of its sole Managing Principal, Lessard, having engaged in willful violation(s) of the North Carolina Securities Act (Chapter 78A) and the rules issued pursuant to that Chapter.

17. It is in the public interest of the citizens of North Carolina that Respondent Palmetto Premier Advisors, LLC's registration in North Carolina as an investment adviser be postponed pursuant to the provisions of N.C.G.S. §§78C-19(c), pending a final determination of this proceeding.

18. The registration of Respondent Palmetto Premier Advisors, LLC as an investment adviser in North Carolina threatens injury to the State of North Carolina resulting from the conduct of the business of providing investment advisory services in violation of its laws. The State of North Carolina and its citizens will suffer immediate and irreparable injury unless the registration of Respondent Palmetto Premier Advisors, LLC as an investment adviser is immediately and summarily postponed pursuant to N.C.G.S. §78C-19(c) pending final determination of this proceeding to deny such registration.

Based upon the foregoing factual findings, the Administrator makes the following:

CONCLUSIONS OF LAW

1. The Secretary has statutory authority pursuant to N.C.G.S. §78C-19(c) to issue summary Orders postponing the registration of investment advisers and investment adviser representatives to engage in the business of providing investment advisory services in North Carolina pending final determination of an administrative proceeding initiated under N.C.G.S. §78C-19(a).
2. N.C.G.S. §78C-19(a)(2)(b) provides that registration may be denied to an applicant for registration as an investment adviser who has, or whose officer, director, partner, or other person occupying a similar position with the applicant has, engaged in willful violation(s) of the North Carolina Securities Act (Chapter 78A) and the rules issued pursuant to that Chapter. N.C.G.S. §78C-19(c) allows the Administrator to postpone the registration of an applicant pending a final determination of a proceeding under N.C.G.S. §78C-19(a).
3. Based upon the activities described above, there is reasonable cause to believe that Michael Paul Lessard, Jr., Managing Principal and CCO of Respondent Palmetto Premier Advisors, LLC, has engaged in dishonest and unethical practices under the North Carolina Securities Act, more specifically, N.C.G.S. §78A-39(a)(2)g and 18 NCAC 06A .1414(d), and that such violations of the Securities Act constitute grounds under N.C.G.S. §§78C-19(a)(2)(b) and 78C-19(c) for the postponement of said Respondent's registration as an investment adviser, pending a final determination of the proceeding instituted by the Division staff.

NOW, THEREFORE, IT IS HEREBY ORDERED for the protection of the investing public and preservation of the public interest in secure investments that, pursuant to the authority contained in N.C.G.S. §§78C-19(a) and 78C-19(c), and pending a final determination in this proceeding, the North Carolina registration of Respondent Palmetto Premier Advisors, LLC as an investment adviser be, and hereby is, postponed.

NOTICE IS HEREBY GIVEN that Respondent may request a hearing upon this matter by transmitting such request, in writing, to Kevin M. Harrington, Deputy Securities Administrator, Securities Division, Department of the Secretary of State, Post Office Box 29622, Raleigh, North Carolina 27626-0626. A copy of any such request shall be served by first-class mail upon Allan C. J. Russ, Senior Enforcement Attorney, Securities Division, Post Office Box 29622, Raleigh, North Carolina 27626-0626. If such a request is made, this matter shall be scheduled for hearing in accordance with Chapter 150B of the North Carolina General Statutes within twenty (20) days after receipt by the Deputy Securities Administrator of the written request. If no request for hearing, other responsive pleading, or submission is received by the Deputy Securities Administrator within thirty (30) business days of the receipt of service hereof, this Summary Order Of Postponement Of Registration shall become final and remain in effect unless it is modified or vacated by the Secretary of State in her capacity as Administrator of the North Carolina Securities Act.

WITNESS MY HAND THE OFFICIAL SEAL of the North Carolina Department of the Secretary of State, this the 14th day of July, 2016.

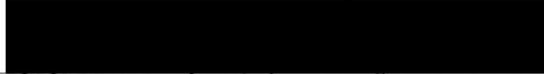
Time of entry: 2:42 P.M.



ELAINE F. MARSHALL

SECRETARY OF STATE OF NORTH
CAROLINA and Securities Administrator

By:


Kevin M. Harrington
Deputy Securities Administrator