

STATE OF NORTH CAROLINA



Department of The
Secretary of State

THE NORTH CAROLINA SECURITIES DIVISION,)

Petitioner,)

vs.)

CHARLES MARK HALL)

Respondent.)

**FINAL ORDER
BY CONSENT**

FILE NO. 09-SEC-217

THIS CAUSE coming on to be heard and being heard before the Secretary of State of the State of North Carolina as Administrator (the "Administrator") of the North Carolina Securities Act (the "Act"); and

IT APPEARING to the Administrator that the undersigned Respondent desires to resolve the contentions of the Securities Division as found in the Administrative Petition filed in this matter, without further controversy or the full use of the procedural rights available to him under North Carolina law, and that Respondent, by his written consent to this Final Order, does not object to the making of Findings of Fact and Conclusions of Law and the entry of a Final Order in conformity therewith in this proceeding;

FINDINGS OF FACT

(1) Without admitting or denying the various factual matters and legal conclusions relevant to this controversy, the undersigned Respondent does not contest, does waive any and

all objections to, and does waive and release any and all rights of appeal from, or judicial review of, the making of Findings of Fact and Conclusions of Law, as set forth herein, and the entry of this Final Order in conformity therewith in this proceeding. By execution of the Consent to Entry of Final Order attached hereto, the undersigned Respondent expressly waives any right to a Notice of Hearing, a hearing, the making of findings of fact and conclusions of law, and all further proceedings before the Administrator to which he may be entitled by law, and any and all rights to seek judicial review or otherwise challenge the validity of this Final Order.

(2) The Administrative Petition, together with an Order of Summary Suspension and a Notice of Rights and Opportunity for a Hearing were filed in this matter and served upon the undersigned Respondent by the Petitioner, seeking relief under N.C.G.S. §78A-39.

(3) The Administrator has jurisdiction over the subject matter of this proceeding and over the person of the Respondent pursuant to the Act.

(4) Respondent **CHARLES MARK HALL**, is, and was at all times relevant herein, a natural person residing in and around Johnston County, North Carolina. Pursuant to the Act, Respondent Hall was registered with the Administrator as a securities salesman affiliated with Cantella & Co., Inc., hereinafter "Cantella," a registered securities dealer based in Boston, Massachusetts, between December 2003 and August 2009.

(5) On or about August 26, 2009, Cantella filed a "Form U5," the Uniform Termination Notice for Securities Industry Regulation, with the Central Record Depository (CRD) system used by the Financial Industry Regulatory Authority, Inc. (FINRA), and the Petitioner, giving notice of the termination of Respondent Hall's affiliation with Cantella & Co. Respondent Hall remains eligible to register as a securities salesman in North Carolina.

(6) Respondent Hall, while affiliated with Cantella and operating a branch office on its behalf in Smithfield, North Carolina, misappropriated funds belonging to customers of Cantella and concealed his conduct through misrepresentations upon the records of Cantella and false statements to agents of Cantella. Respondent Hall, when confronted by Cantella's officers and employees, admitted his misconduct.

(7) Respondent Hall has violated G.S. §78A-39 (a) (2) (b) and (g) by engaging in dishonest and unethical conduct in contravention of 18 NCAC 06A .1414 (c) (1), (2), (3), and (8), and has violated subsection (c) (10) by violating subsection (b) (4) and (25).

(8) It is in the public interest of the citizens of North Carolina and for the protection of investors that the securities salesman registration and any right to a new registration, transfer of registration or renewal of any registration of Respondent Hall be revoked.

(9) This Final Order contains the entire settlement agreement between the undersigned, there being no agreement of any kind, verbal or otherwise, which varies, alters, or adds to this Final Order. Respondent affirmatively states that he has freely agreed to the signing of this Final Order, and that no threats, promises or offers of any kind, other than as stated in this document, have been made by the Securities Administrator, Deputy Securities Administrator, any member of the staff of the Securities Division, or any agent or employee of the Department of the Secretary of State in connection with the signing of this Final Order.

(10) The acceptance and entry of this Final Order will be in the public interest and is necessary for the protection of the investing public.

(11) The undersigned Respondent agrees that the presentation of this Final Order to the Administrator without the undersigned Respondent or counsel for Respondent, if any, being present shall not constitute an improper *ex parte* communication between the Administrator and

Petitioner or counsel for Petitioner. This Final Order shall be effective only after approval and execution by the Administrator.

BASED UPON THE FOREGOING Findings of Fact, the Administrator makes the following:

CONCLUSIONS OF LAW

(1) The acceptance and entry of this Final Order is in the public interest as required by N.C.G.S. §78A-39(a) (1)

(2) Respondent violated the North Carolina Securities Act, specifically N.C.G.S. §78A-39(b) (2) (b) and (g) by engaging in dishonest and unethical conduct in contravention of 18 NCAC 06A .1414

(3) It is necessary and appropriate for the protection of the public interest that the securities salesman registration and any rights of renewal, transfer or new registration of Respondent be revoked.

NOW, THEREFORE, the Administrator, acting through her duly appointed Deputy Securities Administrator, pursuant to and under all authority granted by the North Carolina Securities Act, upon the foregoing Findings of Fact and Conclusions of Law does hereby enter the following:

ORDER

IT IS HEREBY ORDERED that the securities salesman registration, any right to renew or transfer that registration, or any right or eligibility to apply for a new securities salesman registration of Respondent Charles Mark Hall be, and hereby is, **REVOKED**.

WITNESS MY HAND AND THE OFFICIAL SEAL of the North Carolina

Department of the Secretary of State, this the 10th day of October, 2011.

Time of entry: 12:00 ~~P~~ M. P.M. *Don*



ELAINE F. MARSHALL
SECRETARY OF THE STATE OF
NORTH CAROLINA and
SECURITIES ADMINISTRATOR

By: DAVID S. MASSEY
DEPUTY SECURITIES ADMINISTRATOR

CONSENT TO ENTRY OF ORDER BY CHARLES MARK HALL

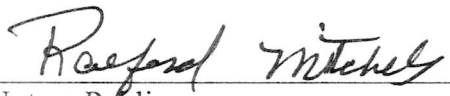
I, CHARLES MARK HALL, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter; I understand that this Order is a public record document. I have not been represented by counsel in the resolution of this matter.

Dated this the _____ day of _____, 2011.

By: 
CHARLES MARK HALL

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

SUBSCRIBED AND SWORN TO before me
this 12 day of September, 2011.


Notary Public

My Commission expires: 07-23-16