



COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2019-AH-00027

DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

TRIDENT PARTNERS, LTD.

RESPONDENT

FACTUAL BACKGROUND

1. The Kentucky Department of Financial Institutions (DFI) is responsible for administering the provisions of Kentucky Revised Statutes (KRS) Chapter 292, the Securities Act of Kentucky (the "Act"), as well as the rules and regulations enacted thereunder.

2. Respondent Trident Partners, Ltd., (CRD #2776349) (the "Firm") is a registered investment adviser and broker-dealer with DFI.

3. In October of 2015, DFI and the Firm entered into an agreement to conditionally register Andrew Tressler as a broker-dealer agent for Trident under the Act. This agreement provided that Tressler would be registered for a period of twenty-four months, beginning on October 29, 2015.

4. Tressler's registration agreement stipulated a number of conditions, including a requirement that the Firm "conduct one unannounced on-site inspection during the conditional registration period," and that "Trident Partners, Ltd. is to provide the Division with a copy of the inspection within 30 days of completion." The Firm did not provide a copy of the inspection to DFI as required.

STATUTORY AUTHORITY

5. 808 Kentucky Administrative Regulation (KAR) 10:440 § 1(28) and (29) prohibit an investment adviser or an investment adviser representative from:

“(28) Failing to make requested records available to or otherwise impeding a representative of the Department of Financial Institutions conducting an authorized examination or investigation; and

(29) Failing to respond within the specified time period to a written request from an authorized representative of the Department of Financial Institutions for:

- (a) Information;
- (b) An explanation of practices or procedures;
- (c) A response to a complaint filed with the Department of Financial Institutions; or
- (d) A response to a written statement of findings from an examination.”

6. The Commissioner possesses a range of administrative authority in addressing violations of the Act, including the imposition of civil fines up to twenty thousand dollars (\$20,000.00) for each violation of the Act. *See* KRS 292.337 and KRS 292.500(14).

7. The Commissioner finds that this Agreed Order is in the public interest.

8. In failing to provide documents as required under the agreement to register Tressler, Respondent violated 808 KAR 10:440.

AGREEMENT AND ORDER

9. To resolve this matter without litigation or other adversary proceedings, DFI and Respondent agree to compromise and settle all claims arising from the above-referenced factual background in accordance with the terms set forth herein.

10. In the interest of economically and efficiently resolving the violations described herein, DFI and Respondent hereby agree as follows:

- a. For purposes of settlement, but without admitting or denying the findings of fact or conclusions of law set forth herein, Respondent agrees to pay a civil fine

in the amount of **one thousand and five hundred dollars (\$1,500)** for the violations described herein, which shall be due and payable upon the entry of this Agreed Order;

- b. All payments under this Order shall be in the form of a certified check or money order made payable to “Kentucky State Treasurer” and mailed to the Department of Financial Institutions, Securities Division, 2019-AH-00027, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601; *and*
- c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with the Act.

11. Respondent waives its right to demand a hearing at which it would be entitled to legal representation, to confront and cross-examine witnesses, and to present evidence on its own behalf, or to otherwise appeal or set aside this Agreed Order.

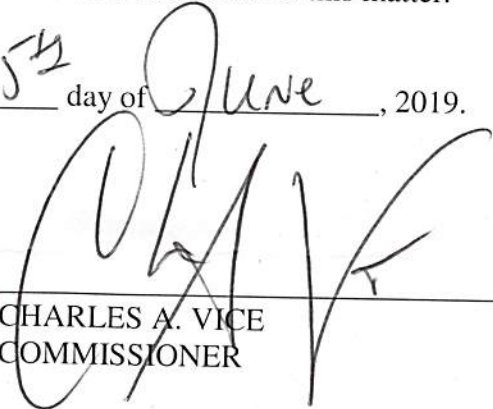
12. Respondent consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

13. In consideration of execution of this Agreed Order, Respondent for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, DFI, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now have, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

14. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

15. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 25th day of June, 2019.



CHARLES A. VICE
COMMISSIONER

Consented to:

On behalf of the Department of Financial Institutions,

This 24 day of JUNE, 2019.

Chad R. Hurlan

Director, Division of Securities
Department of Financial Institutions

AND

On behalf of Trident Partners, Ltd.,

This 18 day of JUNE, 2019.

Michelle Cerant

Authorized Representative
Trident Partners, Ltd.

ACKNOWLEDGEMENT

STATE OF FLORIDA)
COUNTY OF CITRUS)

On this the 18 day of JUNE, 2019, before me KENNETH SHAW, the undersigned, MICHELLE CERANT, did personally appear and acknowledge himself/herself to be the authorized representative of Trident Partners, Ltd., and that he/she, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

My Commission Expires: 1-5-2020

Kenneth R Shaw

Notary Public

CERTIFICATE OF SERVICE



Kenneth R. Shaw
Notary Public
State of Florida
My Commission Expires 01/05/2020
Commission No. FF 948075

I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the 25th day of June, 2019, by certified mail, return receipt requested, to:

Trident Partners, Ltd.
Attn: Brian Schantz, President
181 Crossways Park Drive
Woodbury, New York 11797
Respondent

And by Hand-Delivery to:

Mr. Stuart D. Michael
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Counsel for Department of Financial Institutions

Allison Reed Executive Staff Advisor
Kentucky Department of Financial Institutions
By: Stacy Parker-Nease