

and

WHEREAS, on December 6, 2017, more than 150 days after Premier Marketing's request for a hearing, the Securities Commissioner referred this matter to the Office of Administrative Hearings (OAH) for a hearing and a proposed decision; and

WHEREAS, on January 3, 2018, the OAH sent a Notice of Telephone Prehearing Conference to the parties at their addresses of record. The notice indicated that the telephone prehearing conference was set at 10:00 a.m. on March 5, 2018. The notice also indicated that a party's failure to appear by telephone for the prehearing conference might result in a decision against that party; and

WHEREAS, the OAH sent the parties Telephone Prehearing Conference Instructions, which directed the parties to file prehearing statements containing certain information. The instructions indicated that the OAH did not have a telephone number for Premier Marketing, and they directed Premier Marketing to provide a telephone number to the OAH no later than five calendar days prior to the telephone prehearing conference; and.

WHEREAS, on February 28, 2018, Dale E. Cantone, Assistant Attorney General, on behalf of the Securities Division, filed a prehearing statement and a Motion for Order of Default on the grounds that Premier Marketing, a limited liability company, was not being represented by an attorney; and

WHEREAS, on March 5, 2018, Administrative Law Judge (ALJ) Robert F. Barry attempted to hold a telephone prehearing conference in this matter. Mr. Cantone represented the Securities Division. No attorney had entered an appearance on behalf of Premier Marketing, and Premier Marketing had not provided a telephone number to the OAH; and

WHEREAS, during the March 5, 2018 prehearing conference, the Securities Division

moved for an Order of Default against Premier Marketing for its failure to file a prehearing statement or to provide a telephone number for the prehearing conference; and

WHEREAS, the OAH Rules of Procedure provide that if, after receiving proper notice, a party fails to attend or participate in a prehearing conference, an administrative law judge may proceed in that party's absence or may, in accordance with the hearing authority delegated by the agency, issue a final or proposed default order against the defaulting party. Code of Maryland Regulations (COMAR) 28.02.01.23A; and

WHEREAS, the Securities Division's Procedures for Administrative Hearings provide that if, after receiving notice of a prehearing conference, a party fails to appear at the conference, the Commissioner may proceed to hold the conference in that party's absence, or hold the absent party in default and issue a proposed or final decision and order against the defaulted party; and

WHEREAS, on March 12, 2018, ALJ Barry issued a Proposed Default Order in this matter ("Proposed Default Order") proposing to find Premier Marketing in default and proposing further that the Securities Commissioner issue a Final Default Order directing Premier Marketing to cease and desist from violating the Maryland Securities Act, barring Premier Marketing from engaging in the securities business in this State, and imposing a civil penalty up to \$5,000.00 for each of Premier Marketing's violations of the Act; and

WHEREAS, on March 12, 2018, Premier Marketing was served with a copy of the Proposed Default Order, which provided that Premier Marketing, by an attorney, may file a written motion for reconsideration stating grounds for such request within fifteen days after service of the Proposed Default Order, or, if Premier Marketing does not file a motion for reconsideration within fifteen days after service of the Proposed Default Order, the Securities Commissioner shall issue a Final Order of Default; and

WHEREAS, as of the date of this Final Order, Premier Marketing has not filed a motion for reconsideration; and

WHEREAS, having reviewed the Proposed Default Order and related pleadings, the Securities Commissioner has determined that it is in the public interest to issue this Final Order;

NOW, THEREFORE, THE SECURITIES COMMISSIONER CONCLUDES AND ORDERS:

I. JURISDICTION

1. The Securities Commissioner has jurisdiction in this proceeding pursuant to Section 14-210 (a) of the Maryland Franchise Law.

II. RESPONDENT

2. Premier Marketing is an Arizona limited liability company incorporated in 2014 whose sole member, according to the records of the Arizona Corporation Commission, is Marie A. Ablog, a.k.a. Marie A. Comprone.

III. FINDINGS OF FACT

3. The Securities Commissioner adopts as findings of fact the Statement of Facts contained in the Securities Division Order to Show Cause.

IV. CONCLUSIONS OF LAW

4. Premier Marketing violated sections 11-301, 11-401(a), 11-402(a) and 11-501 of the Securities Act.

V. SANCTIONS

5. NOW, THEREFORE, PURSUANT TO SECTION 11-701 OF THE SECURITIES ACT, IT IS HEREBY ORDERED THAT:

- a. Premier Marketing cease and desist from violating the Maryland Securities Act.
- b. Premier Marketing is barred from engaging in the securities business in this State.
- c. Premier Marketing is assessed a civil monetary penalty of \$20,000, which amount is equal to \$5,000 multiplied by the number of violations of the Securities Act alleged in the Order to Show Cause.

V. JURISDICTION RETAINED

6. Jurisdiction is retained by the Commissioner for the purpose of enabling any party to this Order to apply for such further orders and directions as may be necessary or appropriate for the construction or enforcement of this Order.

VI. NOTICE OF RIGHT TO APPEAL

7. Pursuant to the Code of Maryland Regulations (COMAR) 02.02.06.24, Premier Marketing has the right to file an appeal of this Final Order with the appropriate circuit court of Maryland within 30 days from the date this Order is mailed by the Securities Division.

SO ORDERED:

**Commissioner's Signature
On File w/Original Documents**

Dated: April 13, 2018

MELANIE SENTER LUBIN
SECURITIES COMMISSIONER