

BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF DELAWARE

IN THE MATTER OF:)
)
BARRETT DAY SECURITIES, INC.) Case No. 92-03-02
)
Respondent.)

CONSENT ORDER

WHEREAS, the Division of Securities of the Delaware Department of Justice in a Revised Notice of Intent To Suspend or Revoke Broker-Dealer and Agent Registrations dated August 4, 1993 ("Revised Notice") alleged that Barrett Day Securities, Inc. ("Barrett Day"), CRD # 17717, a securities firm with its principal place of business at 42 Broadway, 19th Floor, New York, NY 10004, violated Sections 7303(2), 7316(a)(7), and 7316(a)(10) of the Delaware Securities Act, 6 Del. C. chapter 73; and

WHEREAS, Barrett Day neither admits nor denies the allegations in the Revised Notice; and

WHEREAS, the Commissioner finds that it is in the public interest to enter this Consent Order;

NOW, THEREFORE, it is hereby stipulated by consent and ordered that:

1. Barrett Day will make full restitution to the Delaware investor, _____, of \$9,387. Simultaneous with the execution of this Consent Order, Barrett Day will cause to be issued a check in that amount payable to Mr. _____. The check will be tendered to the Securities Division for transmittal to him.

2. In the event that the Commissioner makes an award of restitution against Jeffrey Jurrist in favor of Mr. _____, and in the event that Jurrist pays the award in whole or in part, or the

Division otherwise recovers the amount of that award from him, then any amount of such payment or recovery shall be credited against the payment of restitution, in the amount of \$9,387, paid by Barrett Day pursuant to this Consent Order, and that amount shall be returned by the Division to Barrett Day.

3. Simultaneous with the execution of this Consent Order, Barrett Day will pay by check to the Department of Justice, for the benefit of the Investor Protection Fund, 6 Del. C. Section 7329, the amount of \$5,000.

4. Within seven days of the date that the Commissioner has approved this Consent Order, Barrett Day will voluntarily terminate its broker-dealer registration in the State of Delaware.

5. Barrett Day agrees not to re-apply for broker-dealer registration in the State of Delaware for a period of one year after the effective date of its voluntary termination. If Barrett Day re-applies for broker-dealer registration in Delaware after that time, the Division will not deny that application for registration solely on the basis of the prior disciplinary proceedings identified in the Revised Notice, but the Division reserves the right to take into consideration any new disciplinary proceedings instituted against Barrett Day since the date of the issuance of the Revised Notice, or any subsequent developments in those disciplinary proceedings since the date of the issuance of the Revised Notice.

6. The Revised Notice will be deemed by the Securities Commissioner to have been withdrawn upon the execution of this Consent Order, and as long as Barrett Day complies with all

material terms of this Consent Order the Securities Division will not reinstate charges pertaining to the securities transactions that were the subject of the Revised Notice.

BARRETT DAY SECURITIES, INC.

By: David Berger
David Berger
President

Dated:

DELAWARE SECURITIES DIVISION

By: W. Michael Tupman
W. Michael Tupman
Deputy Attorney General

Dated:

January, 1994.

IT IS SO ORDERED this 24th day of

Richard W. Hubbard
Richard W. Hubbard