

**STATE OF ILLINOIS
SECRETARY OF STATE
DEPARTMENT OF SECURITIES**

IN THE MATTER OF: **BRENDAN P. BYRNE**)
d/b/a Barkley Trading LLC,)
his partners, officers and directors,) **No. 0700345**
agents, employees, affiliates, successors)
and assigns.)

ORDER OF PROHIBITION

TO THE RESPONDENT : **BRENDAN P. BYRNE**
CRD # 2790303
13 Overbrook Street
Riverhead, New York 11901

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on September 17, 2010 which temporarily prohibited Brendan P. Byrne d/b/a Barkley Trading, LLC, and his partners, officers and directors, agents, employees, affiliates, successors and assigns from offering or selling securities in or from the State of Illinois until further order of the Secretary of State or his duly authorized representative;

WHEREAS, pursuant to section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act"), the failure to request a hearing within thirty (30) calendar days of the entry of the Temporary Order shall constitute an admission of any acts alleged therein and constitute a sufficient basis to make the Temporary Order final;

WHEREAS, the Respondent has failed to request a hearing on the matters contained in the Temporary Order within thirty (30) calendar days of the entry of said Temporary Order and the Respondents are hereby deemed to have admitted the facts alleged in the Temporary Order;

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Findings of Fact contained in the Temporary Order as the Secretary of State's Findings of Fact as follows:

FRAUD

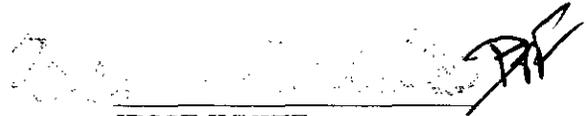
1. Brendan P. Byrne (hereinafter at times "Byrne" or "Respondent") is an individual whose last known address is 13 Overbrook Street, Riverhead, NY 11901.
2. Respondent Brendan P. Bryrne, at all relevant times herein, was doing business as Barkley Trading, LLC.
3. Between January 2004 and July 2007 ("Time Frame") Byrne was the principal signator and controlled a securities trading account in the name of Barkley Trading, LLC ("Barkley").
4. During the Time Frame Byrne entered into an agreement with an Illinois resident ("Trader") whereby the Trader placed approximately \$5,000 into the Barkley trading account, and then the Trader bought and sold stock out of that Barkley account.
5. Trader paid a fee to Respondent Byrne for the right to trade out of the Barkley account.
6. By June 2007 the Trader's account funds in the Barkley account had been reduced to approximately \$1,000.
7. In June 2007 or July 2007 Respondent Byrne, without Trader's consent, removed the Trader's remaining funds of \$990.00 and converted the funds to Respondent's own personal purposes.
8. The activities described above in paragraphs 3-7 constitute "activities in connection with the sale or purchase of stock" as those terms are defined in Sections 2.1, and 2.5 of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act").
9. Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
10. By virtue of the acts set forth above Respondent has violated Section 12.F of the Act.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondent Brendan P. Byrne d/b/a Barkley Trading, LLC and his partners, officers and directors, agents, employees, affiliates, successors and assigns, are **PROHIBITED** from rendering investment advice and from offering or selling securities in or from this State until the further Order of the Secretary of State.

NOTICE: Failure to comply with the terms of this Order shall be a violation of Section 12.D of the ACT. Any person or entity that fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of this Order, shall be guilty of a Class 4 felony for each offence.

This is a final order subject to administrative review pursuant to the Administrative Review Law [735 ILCS 5/3-101 *et seq.*] and the Rules and Regulations of the Act (14 Ill. Admin. Code, Ch. 1 Sec. 130.1123). Any action for judicial review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

Dated: This 3rd day of November 2010.



JESSE WHITE
Secretary of State
State of Illinois

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