

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

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**IN THE MATTER OF: MARY BETH ANN JOHNSON** )  
\_\_\_\_\_ )

**FILE NO. 0500365**

**NOTICE OF HEARING**

**TO THE RESPONDENT:** Mary Beth Ann Johnson  
(CRD#: 1171598)  
124 Park Street  
Post Office Box 167  
Oswego, IL 60543

You are hereby notified that pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 28<sup>th</sup> day of September, 2005 at the hour of 10:00 a.m. or as soon as possible thereafter, before James L. Kopecky, Esq. or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered revoking Mary Beth Ann Johnson's (the "Respondent") registration as a salesperson and as an investment advisor representative in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E(4) of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson and as an investment advisor representative in the State of Illinois pursuant to Section 8 of the Act until August 17, 2004.
2. That on May 24, 2005, NASD entered a Letter of Acceptance, Waiver and Consent (AWC) submitted by the Respondent regarding File No. C8A050043 which sanctioned the Respondent as follows:

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- a. Fined \$5,000; and
  - b. sixty (60) day suspension from association with any member of NASD in any capacity.
3. That the AWC found on July 13, 2004, the Respondent: typed a letter to herself from JA, a member of the public, which requests that the Member issue a check out of JA's account made payable to Manufacturers Life Insurance Company USA ("Manufacturers") for the premium payment of an existing life insurance policy for JA, which was due; affixed JA's signature on the letter; and submitted the letter to the Member, which caused a check in the amount of \$17, 409.00 to be issued and sent to Manufacturers, all without JA's knowledge or consent, in violation of NASD Conduct Rule 2110 by the Respondent. She made the premium payment because she believed that she was acting in JA's best interests.
  4. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson or investment advisor representative may be revoked if the Secretary of State finds that such salesperson or investment advisor representative has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
  5. That NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.
  6. That Section 8.E(3) of the Act provides inter alia, withdrawal of an application for registration or withdrawal from registration as a salesperson or investment advisor representative, becomes effective 30 days after receipt of an application to withdraw or within such shorter period of time as the Secretary of State may determine. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the Secretary of State may nevertheless institute a revocation or suspension proceeding within 2 years after withdrawal became effective and enter a revocation or suspension order as of the last date on which registration was effective.
  7. That by virtue of the foregoing, the Respondent's registration as a salesperson and as an investment advisor representative in the State of Illinois is subject to revocation effective August 17, 2004, pursuant to Sections 8.E(1)(j) and 8.E(3) of the Act.

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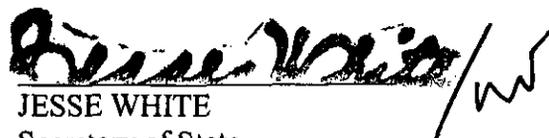
You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 ILL. Adm. Code 130)(the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this Notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A copy of the Rules, promulgated under the Act and pertaining to hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice.

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

DATED: This 10<sup>th</sup> day of August 2005.

  
JESSE WHITE  
Secretary of State  
State of Illinois

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Attorney for the Secretary of State:

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