

State of Missouri  
Office of Secretary of State

Case No. AP-09-34

IN THE MATTER OF:

THE HUBBARD GROUP, PC;  
HOLDING GROUP INTERNATIONAL, LTD; and  
MURPHY M. HUBBARD,

Respondents.

Serve The Hubbard Group, PC at:  
601 W. Edgewood  
Springfield, Missouri 65807

Serve Holding Group International, LTD at:  
601 W. Edgewood  
Springfield, Missouri 65807

Serve Murphy M. Hubbard at  
601 W. Edgewood  
Springfield, Missouri 65807

**FINAL ORDER TO CEASE AND DESIST AND ORDER IMPOSING CIVIL  
PENALTIES AND AWARDED COSTS**

On March 16, 2010, the Enforcement Section of the Securities Division of the Office of Secretary of State (the "Enforcement Section"), by and through Assistant Commissioner, Mary S. Hosmer, submitted a Petition for Final Order to Cease and Desist and Payment of Civil Penalties and Costs as to all Respondents (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of facts, conclusion of law, and order:

**PROCEDURAL BACKGROUND**

1. On August 11, 2009, the Enforcement Section, submitted a Petition for Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed in the above-styled matter.
2. On August 20, 2009, the Commissioner issued an Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed (the "C&D Order") against Respondents. Copies of the C&D Order were sent via certified mail to the Respondents at their last known address.
3. On August 22, 2009, The Hubbard Group, PC and Holding Group International, LTD were served by certified mail at 1325 W. Sunshine, Ste 501, Springfield, Missouri 65807.
4. The certified mail for Mr. Hubbard was returned to the Enforcement Section marked "unclaimed." On September 18, 2009, a copy of the C&D Order was sent to the Greene County Sheriff's office for personal service on Mr. Hubbard. Copies were returned to the Enforcement Section on October 28, 2009, with a note, "No longer at this address." On November 9, 2009, the Greene County Sheriff's office again attempted service on Mr. Hubbard at the address of his former wife. Copies were returned to our office with the response "Divorced, no longer lives there, this is the address of his ex-wife."
5. On January 4, 2010, the Enforcement Section requested that the Greene County Sheriff's Office personally serve Mr. Hubbard in Springfield, Missouri. On January 7, 2010, Mr. Hubbard was personally served with a copy of the Petition and the C&D Order by the Green County Sheriff's Office at Mr. Hubbard's home address at 601 W. Edgewood, Springfield, Missouri.
6. The Respondents did not request a hearing in this matter or otherwise contact or communicate with the Commissioner.
7. In the Petition, the Enforcement Section requested a Final Order to Cease and Desist in this matter.
8. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty of ten thousand dollars (\$10,000) against each of Respondent Murphy Hubbard and Respondent Holding Group International, LTD, for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2009).
9. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty of ten thousand dollars (\$10,000) against Respondent Murphy Hubbard for multiple violations of Section 409.4-402(a), RSMo. (Cum. Supp. 2009).

10. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty of ten thousand dollars (\$10,000) against Respondent Holding Group International, LTD for multiple violations of Section 409.4-402(d), RSMo. (Cum. Supp. 2009).
11. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty of ten thousand dollars (\$10,000) against each Respondent for multiple violations of Section 409.5-501, RSMo. (Cum. Supp. 2009).
12. In the Petition, the Enforcement Section requested that the Commissioner issue an order requiring the Respondents to pay, jointly and severally, costs of the investigation in this matter in the amount of three thousand four hundred and fifty dollars (\$3,450).

### **FINDING OF FACT**

13. The Commissioner adopts and incorporates the Findings of Facts, paragraphs 1-14, in the C&D Order.

### **CONCLUSION OF LAW**

14. The Commissioner adopts and incorporates the Conclusions of Law, paragraphs 27-45, in the C&D Order.
15. This Order is in the public interest and consistent with the purposes intended by the Missouri Securities Act of 2003.

### **ORDER**

**NOW, THEREFORE**, it is hereby **ORDERED** that:

- A. The Cease and Desist Order entered in Case Number AP-09-34 on August 20, 2009, is **FINAL**.
- B. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2009), each of Respondent Murphy Hubbard and Respondent Holding Group International, LTD, shall pay a civil penalty in the amount of three thousand dollars (\$3,000) to the State of Missouri for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2009). This amount shall be made payable to the State of Missouri and paid within thirty (30) days of the date of this Order. The Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent Murphy Hubbard and Respondent Holding Group International, LTD, shall deliver this payment to the Securities Division, 600 W. Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- C. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2009), Respondent Murphy Hubbard shall pay a civil penalty in the amount of two thousand dollars (\$2,000) to the State of Missouri for multiple violations of Section 409.4-402(a), RSMo. (Cum. Supp. 2009). This amount shall be made payable to the State of Missouri and paid within thirty (30) days of the date of this Order. The Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent Murphy Hubbard shall deliver this payment to the Securities Division, 600 W. Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- D. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2009), Respondent Holding Group International, LTD, shall pay a civil penalty in the amount of one thousand dollars (\$1,000) to the State of Missouri for violation of Section 409.4-402(d), RSMo. (Cum. Supp. 2009). This amount shall be made payable to the State of Missouri and paid within thirty (30) days of the date of this Order. The Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent Holding Group International, LTD, shall deliver this payment to the Securities Division, 600 W. Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- E. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2009), Respondent The Hubbard Group, PC, Respondent Holding Group International, LTD, and Respondent Murphy Hubbard shall each pay a civil penalty in the amount of ten thousand dollars (\$10,000) to the State of Missouri for multiple violations of Section 409.5-501(2), RSMo. (Cum. Supp. 2009). This amount shall be made payable to the State of Missouri and paid within thirty (30) days of the date of this Order. The Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent The Hubbard Group, PC, Respondent Holding Group International, LTD, and Respondent Murphy Hubbard shall deliver this payment to the Securities Division, 600 W. Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- F. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2009), Respondent The Hubbard Group, PC, Respondent Holding Group International, LTD, and Respondent Murphy Hubbard shall pay, within thirty (30) days from the date of this Order, the additional sum of three thousand four hundred and fifty dollars (\$3,450) as reimbursement for costs of the investigation and administration of this matter. Respondents The Hubbard Group, PC, Holding Group International, Ltd., and Murphy Hubbard shall be jointly and severally liable for this amount. This amount shall be made payable to the Missouri Secretary of State's Investor Education and Protection Fund. Respondent shall deliver this payment to the Securities Division, 600 West Main Street, PO Box 1276, Jefferson City, Missouri 65102.

G. Pursuant to Section 409.6-604(f), RSMo. (Cum. Supp. 2009), this matter shall be referred to the Missouri Attorney General's Office to collect the penalties and costs described in this Order, as necessary.

H. Respondents shall pay their own costs and attorney's fees with respect to this matter.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 13<sup>TH</sup> DAY OF MAY, 2010.

ROBIN CARNAHAN  
SECRETARY OF STATE

(Signed/Sealed)  
MATTHEW D. KITZI  
COMMISSIONER OF SECURITIES

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of May, 2010, a copy of the foregoing Order in the above styled case was **mailed by Certified U.S. mail to:**

The Hubbard Group, PC at:  
601 W. Edgewood  
Springfield, Missouri 65807

Holding Group International, LTD at:  
601 W. Edgewood  
Springfield, Missouri 65807

Murphy M. Hubbard at  
601 W. Edgewood  
Springfield, Missouri 65807

**And hand-delivered to:**

Mary S. Hosmer  
Assistant Commissioner  
Securities Division

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John Hale, Specialist