

State of Missouri  
Office of Secretary of State

Case No. AP-10-06

IN THE MATTER OF:

PARAGON FINANCIAL GROUP, INC.;  
EK MARKETING, INC.;  
BRIAN EKASALA, CRD # 2294855; and  
SUSAN GARRARD,

Respondents.

Serve: Paragon Financial Group, Inc. at:  
16955 SW 286<sup>th</sup> Street  
Homestead, Florida 33030

Serve: Suzan Garrard at:  
16955 SW 286<sup>th</sup> Street  
Homestead, Florida 33030

Serve: EK Marketing, Inc. at:  
c/o John J. Miller  
The Law Office of Swanson|Midgley LLC  
Plaza West Building  
4600 Madison Avenue, Suite 1100  
Kansas City, Missouri 64112

Serve: Brian Ekasala at:  
c/o John J. Miller  
The Law Office of Swanson|Midgley LLC  
Plaza West Building  
4600 Madison Avenue, Suite 1100  
Kansas City, Missouri 64112

**FINAL ORDER TO CEASE AND DESIST AND PAYMENT OF RESTITUTION, CIVIL PENALTIES, AND COSTS AS TO RESPONDENTS SUZAN GARRARD AND PARAGON FINANCIAL GROUP, INC.**

On March 21, 2012, the Enforcement Section of the Securities Division of the Office of Secretary of State (the "Enforcement Section"), by and through Deputy Chief Counsel, Roumen Manolov, submitted Petition for Final Order to Cease and Desist and Payment of Restitution, Civil Penalties, and Costs as to Respondents Suzan Garrard and Paragon Financial Group, Inc. (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of facts, conclusion of law and order:

**PROCEDURAL BACKGROUND**

1. On February 1, 2010, 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 (the "C&D Petition") in the above-styled matter.
2. On February 18, 2010, 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").
3. On February 25, 2010, Respondents Garrard and PFG were promptly served with a copy of the Order by Certified, U.S. Mail, first-class postage prepaid.
4. On March 19, 2010, Respondents Brian Ekasala ("Ekasala") and EK Marketing, Inc. ("EKM"), requested a hearing in the above-styled matter.
5. On February 29, 2012, the Commissioner issued a Consent Order as to EKM and Ekasala.

6. Respondents Garrard and PFG failed to request a hearing within the time allowed by Section 409.6-604, RSMo. (Cum. Supp. 2011), and did not otherwise contact or communicate with the Commissioner at any time.
7. In the Petition, the Enforcement Section requested a Final Order to Cease and Desist as to Respondents Suzan Garrard and Paragon Financial Group, Inc.
8. In the Petition, the Enforcement Section requested that the Commissioner issue an order requiring Respondents Garrard and PFG to pay restitution in the amount of one hundred fifty three thousand dollars (\$153,000), and interest in an unspecified amount.
9. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty of three thousand dollars (\$3,000) against Respondents Garrard and PFG, jointly and severally, for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2011).
10. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty in the amount of two thousand dollars (\$2,000) against Respondent Garrard for multiple violations of Section 409.4-402(a), RSMo. (Cum. Supp. 2011).
11. In the Petition, the Enforcement Section requested that the Commissioner issue an order imposing a civil penalty in the amount of two thousand dollars (\$2,000) against Respondent PFG for multiple violations of Section 409.4-402(d), RSMo. (Cum. Supp. 2011).
12. In the Petition, the Enforcement Section requested that the Commissioner issue an order requiring Respondents Garrard and PFG, jointly and severally, to pay the costs of the investigation in this matter in the amount of three thousand dollars (\$3,000).

#### FINDINGS OF FACT

13. The Commissioner adopts and incorporates the Findings of Fact, paragraphs 1 - 4, 6 - 8, 12 - 29, and 34 - 57, in the C&D Order as to Respondent PFG.
14. The Commissioner adopts and incorporates the Findings of Fact, paragraphs 1 - 4, 6 - 8, 12 - 29, and 34 - 57, in the C&D Order as to Respondent Garrard.

#### CONCLUSIONS OF LAW

15. The Commissioner adopts and incorporates the Conclusions of Law, paragraphs 70 - 74, and 79 - 83, in the C&D Order, as to Respondent PFG.
16. The Commissioner adopts and incorporates the Conclusions of Law, paragraphs 70 - 78, in the C&D Order, as to Respondent Garrard.
17. 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 entered in Case Number AP-10-06 on February 18, 2010, is **FINAL**.
- B. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2011), Respondent Garrard and Respondent PFG, shall each pay a separate civil penalty in the amount of one thousand five hundred dollars (\$1,500), to the State of Missouri for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2011). 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 PFG and Respondent Garrard shall deliver these payments to the Securities Division, at 600 West Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- C. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2011), Respondent Garrard 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. 2011). 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 Garrard shall deliver this payment to the Securities Division, at 600 West Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- D. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2011), Respondent PFG 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(d), RSMo. (Cum. Supp. 2011). 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 PFG shall deliver this payment to the Securities

Division, at 600 West Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.

- E. Pursuant to Section 409.4-604(d), RSMo. (Cum. Supp. 2011), Respondent Garrard and Respondent PFG shall pay restitution in the amount of one hundred fifty three thousand dollars (\$153,000), arising from violations of Sections 409.3-301 and 409.4-402, RSMo. (Cum. Supp. 2011). This amount shall be made payable to the Missouri Secretary of State's Investor Restitution Fund and the Commissioner will take reasonable and necessary actions to distribute such funds to those persons referenced in Exhibit A of the Petition and injured by the acts and violations. Respondent Garrard and Respondent PFG shall be jointly and severally liable for this amount. This amount shall be paid by the Respondents within thirty (30) days of the date of this Order. The Respondents shall deliver this payment to the Securities Division at 600 West Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- F. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2011), Respondent Garrard and Respondent PFG shall pay the additional sum of three thousand dollars (\$3,000) as reimbursement for the costs of the investigation and administration of this matter. Respondent Garrard and Respondent PFG 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 and paid within thirty (30) days of the date of this Order. Respondent Garrard and Respond PFG shall deliver this payment to the Securities Division at 600 West Main Street, P.O. Box 1276, Jefferson City, Missouri 65102.
- G. Pursuant to Section 409.6-604(f), RSMo. (Cum. Supp. 2011), this matter shall be referred to the Missouri Attorney General's Office to collect the restitution, penalties and costs described in the Order, as necessary. In the event of such referral, priority in collection shall be given to recovery of monies for the restitution ordered under paragraph E, above. Once such collection efforts result in the full satisfaction of paragraph E, priority shall be given to recovery of monies for the civil penalties ordered under paragraphs B, C, and D, above.
- 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 6<sup>TH</sup> DAY OF APRIL, 2012.

ROBIN CARNAHAN  
SECRETARY OF STATE

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

CERTIFICATE OF SERVICE

I hereby certify that on this 6<sup>th</sup> day of April, 2012, a copy of the foregoing Final Order To Cease and Desist and Payment of Restitution, Civil Penalties, and Costs as to Respondent Suzan Garrard and Paragon Financial Group, Inc., in the above styled case **mailed by certified U.S. Mail, postage prepaid, to:**

Paragon Financial Group, Inc.  
16955 SW 286th Street  
Homestead, Florida 33030

Suzan Garrard  
16955 SW 286th Street  
Homestead, Florida 33030

**And a courtesy copy to:**

John J. Miller  
The Law Office of Swanson|Midgley LLC  
Plaza West Building  
4600 Madison Avenue, Suite 1100  
Kansas City, Missouri 64112  
COUNSEL FOR RESPONDENTS  
EK MARKETING AND BRIAN EKASALA

**And via hand-delivery to:**

Roumen Manolov  
Deputy Chief Counsel  
Missouri Securities Division

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John Hale, Specialist