



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)
)
LATOUR ASSET MANAGEMENT, LLC,)
CRD# 172461; and BARBARA BURNS,)
CRD# 6303432,) Case No.: AP-21-12
)
Respondents.)

CONSENT ORDER

SUMMARY OF SECURITIES DIVISION’S ALLEGATIONS & SETTLEMENT OF SAME

1. A routine examination of the firm LaTour Asset Management, LLC, CRD# 172461 (“**LaTour**”) concluding in March 2021 revealed that between March 2018 and June 2019 (the “**Relevant Period**”), Respondent Barbara Burns, CRD# 6303432 (“**Burns**”), an investment adviser representative of Respondent LaTour (collectively “**Respondents**”), engaged in unethical business practices in the form of having clients of the firm execute documents that were blank or incomplete. By engaging in this conduct, Respondents violated Section 409.4-412(d)(13) of the Missouri Securities Act.¹ The Enforcement Section has asserted that this alleged violation constitutes grounds for the Missouri Commissioner of Securities (“**the Commissioner**”) to issue an order pursuant to Section 409.6-604.
2. Respondents and the Enforcement Section desire to settle the allegations and the matters raised by the Enforcement Section relating to the Respondents’ alleged violation of Section 409.4-412(d)(13).

CONSENT TO JURISDICTION

3. Respondents and the Enforcement Section stipulate and agree that the Commissioner has jurisdiction over Respondents and these matters pursuant to the Missouri Securities Act of 2003, Chapter 409 *et seq.*
4. Respondents and the Enforcement Section stipulate and agree that the Commissioner has authority to enter this Order pursuant to Section 409.6-604(h), which provides:

¹ Unless otherwise noted, all statutory references are to the 2020 Cumulative Supplement of the Revised Statutes of Missouri.

“The commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.”

WAIVER AND EXCEPTION

5. Respondents waive Respondent’s rights to a hearing with respect to this matter.
6. Respondents waive any rights that Respondents may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Respondents specifically forever release and hold harmless the Missouri Office of Secretary of State, Secretary of State, Commissioner of Securities, and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Respondents stipulate and agree with the Enforcement Section that, should the facts contained herein prove to be false or incomplete, the Enforcement Section reserves the right to pursue any and all legal or administrative remedies at its disposal.

CONSENT TO COMMISSIONER’S ORDER

8. Respondents and the Enforcement Section stipulate and agree to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
9. Respondents agree not to take any action or to make or permit to be made any public statement creating the impression that this Order is without factual basis. Nothing in this paragraph affects Respondent’s (a) testimonial obligations; (b) right to take legal or factual positions in defense of litigation or in other legal proceedings in which the Commissioner is not a party; or (c) right to make public statements that are factual.
10. Respondents agree that Respondents are not the prevailing party in this action since the parties have reached a good faith settlement.
11. Respondents neither admit nor deny the allegations made by the Enforcement Section, but consent solely for the purpose of this matter only and not for any other matter, to the Commissioner’s Findings of Fact, Conclusions of Law, and Order as set forth below solely for the purposes of resolving this proceeding and any proceeding that may be brought to enforce the terms of this Consent Order.

COMMISSIONER’S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

I. FINDINGS OF FACT

12. LaTour is a Springfield, Missouri-based investment advisory firm that has been registered in Missouri since September 10, 2014.

13. LaTour has approximately 140 clients serviced by third-party managers and has four (4) registered investment adviser representatives. LaTour offers third-party management services under a solicitor agreement. All of LaTour's representatives are licensed insurance agents and three, including Burns, are registered broker-dealer agents with Center Street Securities.
14. During the Relevant Period, LaTour was a registered investment advisory firm with the Central Registration Depository ("CRD") and assigned CRD# 172461 in Missouri and Arkansas.
15. Burns is a Missouri-registered investment adviser representative with a business address at 2627 W. Republic Rd., Suite A112, Springfield, Missouri 65807. During the Relevant Period, Burns worked as an investment adviser representative for LaTour and conducted business in the State of Missouri for LaTour clients.
16. During the Relevant Period, Burns was a registered broker-dealer agent and investment adviser representative assigned CRD# 6303432.
17. On or about April 5, 2021, the Enforcement Section received a referral and documents from the Examination Section of the Missouri Securities Division alleging unethical business practices against Respondents.
18. An investigation commenced and the Enforcement Section collected and examined thousands of emails provided by Respondents for review as part of its investigation.
19. During the investigation, the Enforcement Section identified an email dated February 6, 2019 to a LaTour client, addressed to an Ozark, Missouri resident, which evidenced unethical business practices from Burns based upon the following:
 - a. the email contained only one (1) page of a four (4) page document; and
 - b. Burns included instructing the client to initial and date a correction Burns had made.
20. In response to inquiries by the Enforcement Section concerning documentation of the questionable email referenced in paragraph 19, Burns admitted sending the email and others that were similar. As justification, Burns indicated that the firm, at the time, did not have satisfactory security provisions in their email system and that emails such as those listed in paragraph 19 were done in an attempt to protect private client information.
21. Fortunately, the investigation did not uncover any direct investor financial impact by the practice of sending incomplete or blank documents via email to clients by Respondents.
22. However, the parties acknowledge the perils of the practice and Respondents have provided the Enforcement Section adequate documentation and assurances of the cessation of the practice.

II. CONCLUSIONS OF LAW

23. **THE COMMISSIONER CONCLUDES** that soliciting client signatures on blank documents, as exemplified by the February 6, 2019, email, is unethical business conduct in violation of Section 409.4-412(d)(13) and 15 CSR 30-51.172(1).
24. The Commissioner, after consideration of the stipulations set forth above and on the consent of the Respondents and the Enforcement Section, finds and concludes that the Commissioner has jurisdiction over Respondents and this matter and that the following Order is in the public interest, necessary for the protection of public investors and consistent with the purposes intended by Chapter 409.

III. ORDER

NOW, THEREFORE, it is hereby Ordered that:

25. Respondents, their agents, employees and servants, and all other persons participating in or about to participate in the above-described violations with knowledge of this order be prohibited from violating or materially aiding in any violation of Section 409.4-412(d)(13).
26. Respondents shall pay civil penalties in the amount of \$25,000 for one (1) violation of Section 409.4-412(d)(13). This amount shall be made payable to the State of Missouri. 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. This amount shall be sent to the Missouri Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101. ***All obligations to pay this amount shall be and hereby are suspended, and shall be fully and finally waived when the investigation costs described herein are paid in full and upon compliance with all other terms of this Order.***
27. Respondents shall pay \$15,000 at the time of execution of this order to the Missouri Secretary of State's Investor Education and Protection Fund. This amount shall be made payable to the **Missouri Investor Education and Protection Fund**, and sent to the Missouri Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101.
28. Respondent Burns is **SUSPENDED** from operating as an investment adviser representative and broker-dealer agent in the State of Missouri for a period of six (6) months from the date of issuance of this Order, during which Respondent Burns is prohibited from receiving any compensation, commission, or bonus related to any transactions or investment advisory services conducted by Respondent LaTour or third-party Center Street Securities. Respondent Burns shall conduct no business that would require registration as an investment adviser representative nor broker-dealer agent during the six (6) month suspension period. Should an examination at some point in the future reveal that Respondent Burns engaged in such activities, the suspended penalties imposed shall become due immediately.
29. Within three (3) years from the date of issuance of this Order, Respondent LaTour shall be subject to heightened supervision to the satisfaction of the Division in that any Section

within the Missouri Securities Division may request documentation from LaTour regarding the subject matter in this Order for further review. The Division may institute an inspection and audit at any point without notice to LaTour, and any deficiencies consistent with those outlined in this matter will be deemed a violation of this Order and any suspended penalties imposed shall become due immediately. Furthermore, LaTour may be subject to additional administrative action as a result of any additional violations of the Act uncovered by subsequent examinations.

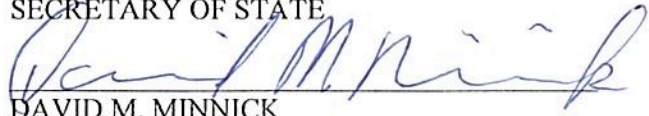
30. Upon Respondents' failure to comply with the terms of this Consent Order, all remaining payments shall become due immediately and payable by operation of law, and such payments shall be in addition to all other penalties then available under the law.
31. Respondents shall pay their own costs and attorneys' fees with respect to this matter.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,
MISSOURI THIS 15th DAY OF SEPTEMBER, 2021.



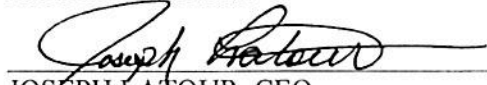
JOHN R. ASHCROFT
SECRETARY OF STATE



DAVID M. MINNICK
COMMISSIONER OF SECURITIES

Consented to by:
MISSOURI SECURITIES DIVISION


STEVEN M. KRETZER
SECURITIES ENFORCEMENT COUNSEL


BARBARA BURNS


JOSEPH LATOUR, CEO
LATOUR ASSET MANAGEMENT, LLC


JAMES MARGRAF, CEO
LATOUR ASSET MANAGEMENT, LLC