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THE PEOPLE OF THE STATE OF CALIFORNIA
BY AND THROUGH THE COMMISSIONER OF CORPORATIONS

In the matter of)	
)	AMENDED CONSENT ORDER
E*TRADE SECURITIES LLC)	
)	
Respondent.)	
_____)	

WHEREAS, the California Corporations Commissioner (“Administrator”), on January 11, 2012 entered an Administrative Consent Order, which resolved the Administrator’s investigation of Respondent E*TRADE Securities LLC (“E*TRADE”); and

WHEREAS, on October 18, 2011, E*TRADE and a multi-state task force reached an agreement to resolve the coordinated investigations conducted by the multi-state task force; and

WHEREAS, pursuant to the October 18, 2011 agreement, E*TRADE agreed to pay fines and/or penalties in the amount of \$5 million in the aggregate to the States to be distributed as determined by the multi-state task force based upon a proportional share of all auction rate securities positions held by the states as of February 2008; and

WHEREAS, under the terms of the January 11, 2012 Administrative Consent Order, E*TRADE agreed to pay One Million Ninety Five Thousand Fifteen Dollars and Twenty One Cents (\$1,095,015.21), which amount purportedly constituted California’s share of the total state settlement amount of \$5 million; and

WHEREAS, the original data used to calculate each state’s proportional share of the total state settlement was inaccurate; and

WHEREAS, the California’s share of the total state settlement is actually One Million One Hundred Sixty Thousand Four Hundred and Eighty One Dollars and Eighteen Cents (\$1,160,481.18); and

1 WHEREAS, the difference between what E*TRADE has paid California, and the amount
2 that should have been paid is Sixty Five Thousand Four Hundred Sixty Five Dollars and Ninety
3 Seven Cents. (\$65,465.97); and

4 WHEREAS, E*TRADE consents to the entry of this Amended Order; and

5 NOW THEREFORE, IT IS ORDERED as follows:

6 Within 10 days from the date of this Amended Order, E*TRADE shall pay an additional
7 sum of Sixty Five Thousand Four Hundred Sixty Five Dollars and Ninety Seven Cents.
8 (\$65,465.97) to California, which amount constitutes the balance of California's share of the total
9 state settlement of \$5 million. In the event another state securities regulator determines not to
10 accept E*TRADE's settlement offer, the total amount of the payment to the state of California
11 shall not be affected.

12
13 DATED this 9th day of March, 2012.

14
15 BY ORDER OF

JAN LYNN OWEN
California Corporations Commissioner

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18 By _____
19 ALAN S. WEINGER
20 Deputy Commissioner
21 Enforcement Division
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CONSENT TO ENTRY OF AMENDED ORDER BY E*TRADE SECURITIES LLC

E*TRADE Securities LLC (“Respondent”) hereby acknowledges that it has been served with a copy of this Amended Consent Order, and has read the foregoing Order.

James E. Ballowe, Jr. represents that he/she is General Counsel, Brokerage of E*TRADE Securities LLC and that, as such, has been authorized by E*TRADE Securities LLC to consent to the entry of this Amended Order for and on behalf of E*TRADE Securities LLC

DATED this 8th day of March, 2012.

E*TRADE SECURITIES LLC

By: James E. Ballowe, Jr.

Title: General Counsel, Brokerage

STATE OF Virginia)

)

County of Arlington)

SUBSCRIBED AND SWORN TO before me this 8th day of March, 2012.

Christopher C. Horak

Notary Public

My commission expires:

May 31, 2016