

1 STATE OF CALIFORNIA
2 BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
3 DEPARTMENT OF BUSINESS OVERSIGHT
4

5 TO: James Oliver Stevenson, a.k.a. Jim Stevenson
6 DBA James Oliver Trades
7 www.jamesolivertrades.blogspot.com

8 1525 Waterstone Place
9 San Ramon, CA 94582

10 119 Milita Street
11 Vallejo, CA 94590

12 **DESIST AND REFRAIN ORDER**
13 **(For Violations of Section 25210 of the Corporations Code)**

14 The Commissioner of Business Oversight (“Commissioner”) finds that:

15 1. At all relevant times, James Oliver Stevenson a.k.a. Jim Stevenson, d.b.a. James
16 Oliver Trades (“Stevenson”), is an individual residing in Fairfield, Solano County, California, and
17 doing business at 1525 Waterstone Place, San Ramon, CA 94582 or at 119 Milita Street, Vallejo, CA
18 94590. Stevenson conducts business by way of telephone number (925) 683-5884, by email at
19 jim_stevenson@att.net and by the internet at www.jamesolivertrades.blogspot.com. Stevenson
20 engages in the business of directing the investment trades of consumers in exchange for
21 compensation. Stevenson also operates an internet based “blog” or column commonly known as
22 “James Oliver Trades” at www.jamesolivertrades.blogspot.com.

23 2. Beginning in July 2013 until at least 2014, Stevenson executed financial investment
24 transactions on behalf of at least one (1) California consumer residing in Alameda County,
25 California. Stevenson directed securities investment transactions or “trades” to and from an
26 electronic brokerage account on behalf of a California consumer specifically as follows: Stevenson
27 befriended a consumer on an internet dating website. Upon Stevenson’s urging and direction, the
28 consumer linked her TD AMERITRADE financial investment retirement account to Stevenson’s
financial account also at TD AMERITRADE. Stevenson then used this access to electronically direct

1 various investment trades using the consumer's money deposited in her TD AMERITRADE financial
2 investment retirement account. The consumer had no knowledge of what specific trades were being
3 made until after Stevenson made them. After directing the investment trades, Stevenson demanded
4 payment in an amount over six thousand dollars (\$6,000.00) from the consumer for fees in
5 connection with the above described "trade" transactions. Stevenson went to the consumer's home in
6 Alameda County, on at least one (1) occasion, to do so. On January 2014, the consumer gave to
7 Stevenson, after Stevenson's repeated demands, at least one thousand three hundred ninety eight
8 dollars and fifty cents (\$1,398.50) towards the payment of Stevenson's broker service fees.

9 3. In November 2014, Stevenson brought a civil suit against the consumer in small
10 claims court for the remainder of broker service fees he alleged that were owed to him for the above
11 described transactions. Stevenson appeared before Superior Court, County of Alameda Honorable
12 Paul D. Herbert in Oakland, California. On November 19, 2014, Judge Herbert ruled in favor of the
13 defendant consumer ruling that Stevenson must pay to the consumer \$1,368.50 (not \$1,398.50) fee
14 paid to Stevenson, stating as follows:

15 *Having heard the testimony presented at trial, and having carefully reviewed all*
16 *of the documentary evidence submitted for consideration, the court makes the*
17 *following findings and conclusion.*

18 *1. Plaintiff's trading activities on behalf of defendant constitute broker-*
19 *dealer actions as defined by FINRA and the California Department of Business*
20 *Oversight.*

21 *2. Plaintiff's broker-dealer conduct requires appropriate licensure by*
22 *FINRA and the California Department of Business Oversight.*

23 *3. Plaintiff is not registered as a broker-dealer with either of the*
24 *aforementioned regulatory agencies, and hence plaintiff is not qualified to act as*
25 *a broker-dealer under the pertinent federal and state laws.*

26 *4. Plaintiff's broker-dealer conduct on behalf of defendant constitutes a*
27 *violation of Corporations Code section 25210, and appears to likewise constitute*
28 *a violation of Corporations Code section 25540 – a felony offense under state*
law.

5. Based on plaintiff's violation of section 25210, he is not entitled to
receive any compensation from defendant for his activities on her behalf and is
hereby ordered to make full restitution to defendant of the \$1,368.50 that she
tendered to him for said activities.

1 6. After defendant terminated plaintiff and de-linked him from her trading
2 account, defendant made her own independent decision to sell all of her positions
3 established by plaintiff. Consequently, defendant alone is responsible for any
4 losses resulting from having decided to sell her positions at that time.

5 7. Plaintiff is hereby placed on notice that he should immediately desist
6 and refrain from conducting any trading activities on behalf of anyone without
7 having first obtained appropriate licensure from FINRA and the California
8 Department of Business Oversight.

9 Plaintiff Ordered to pay restitution to defendant in the amount of \$1,368.50. IT IS
10 SO ORDERED.

11 Stevenson v. Warner, RS14719228, Judicial Order dated November 19, 2014.

12 4. Stevenson, by directing trades and effecting transactions in securities using the
13 account of another person for compensation, is a broker-dealer within the meaning of Corporations
14 Code section 25004. The Commissioner of Business Oversight has no record of having received a
15 broker-dealer certificate application from Stevenson or granting a broker-dealer certificate to
16 Stevenson pursuant to Corporations Code section 25210.

17 Based on the foregoing findings, the Commissioner of Business Oversight finds that James
18 Oliver Stevenson, a.k.a. Jim Stevenson, doing business as James Oliver Trades and
19 www.jamesolivertrades.blogspot.com has effected at least one (1) transaction in, or induced or
20 attempted to induce the purchase or sale of a security in California, without having first applied for
21 and having secured from the Commissioner a certificate, then in effect, authorizing him to act in that
22 capacity. The Commissioner of Business Oversight also finds that James Oliver Stevenson, a.k.a.
23 Jim Stevenson, doing business as James Oliver Trades and www.jamesolivertrades.blogspot.com is
24 not exempt from the requirement to apply for and secure a certificate from the Commissioner
25 authorizing him to act as a broker-dealer in violation of Corporations Code section 25210.

26 Pursuant to section 25532, subdivision (b) of the Corporate Securities Law of 1968, James
27 Oliver Stevenson, a.k.a. Jim Stevenson, doing business as James Oliver Trades and
28 www.jamesolivertrades.blogspot.com is hereby ordered to desist and refrain from conducting
29 business as a broker-dealer unless and until James Oliver Stevenson, a.k.a. Jim Stevenson, doing
30 business as James Oliver Trades and www.jamesolivertrades.blogspot.com has applied for and
31 secured from the Commissioner a certificate, then in effect, authorizing him to act in that capacity.

1 This Order is necessary, in the public interest, for the protection of investors and consistent with the
2 purposes, policies, and provisions of the Corporate Securities Law of 1968.

3 Dated: December 7, 2015
4 Sacramento, California

5 JAN LYNN OWEN
6 Commissioner of Business Oversight

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8 By _____
9 MARY ANN SMITH
10 Deputy Commissioner
11 Enforcement Division
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