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California Corporations Commissioner
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Deputy Commissioner
3 ALAN S. WEINGER (CA BAR NO. 86717)
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5 DEPARTMENT OF CORPORATIONS
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8 Attorneys for Complainant

9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA
11

12	In the Matter of)	CASE NO.
13	THE CALIFORNIA CORPORATIONS)	FILE NO. 923-3624
14	COMMISSIONER,)	FINAL ORDER TO DISCONTINUE
15	Complainant,)	VIOLATIONS PURSUANT TO
16	v.)	CORPORATIONS CODE SECTION 25249
17	TM MURPHY INVESTMENT)	
18	MANAGEMENT, INC.,)	
19	Respondent.)	
20)	
21)	

22 To: TM Murphy Investment Management, Inc.
Thomas M. Murphy, President
23 4788 Keswick Court
24 San Diego, California 92130-1337

25 1. TM Murphy Investment Management, Inc. ("TM Murphy") holds a valid and
26 unrevoked investment adviser certificate issued by the Commissioner in 1995 pursuant to
27 Corporations Code section 25230. TM Murphy is an investment adviser business located at 4788
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1 Keswick Court, San Diego, California 92130-1337. TM Murphy is a corporation. Thomas M.
2 Murphy is TM Murphy's president.

3 2. On or about March 8, 2002, the Commissioner commenced a regulatory examination of
4 TM Murphy. The examination revealed violations of the reporting provisions of the Corporate
5 Securities Law of 1968 (Corp. Code § 25000 et seq.) and the regulations thereunder found at
6 California Code of Regulations, title 10 (§ 260.000 et seq.).

7 3. These violations consisted of TM Murphy's failure to file annual financial reports
8 with the Commissioner within 60 days of the end of TM Murphy's fiscal year, in violation of
9 Corporations Code section 25241 and California Code of Regulations, title 10, section 260.241.2,
10 subdivision (a).

11 4. On November 20, 2003, TM Murphy was served by certified mail, return receipt,
12 with the following documents: (1) Order To Discontinue Violations Pursuant To Corporations Code
13 Section 25249, (2) Notice Of Intention To Make Final An Order To Discontinue Violations Pursuant
14 To Corporations Code Section 25249 And Statement To Respondent, (3) Statement In Support Of
15 Order To Discontinue Violations Pursuant To Corporations Code Section 25249 And
16 Commissioner's Intention To Make Order Final, (4) Notice of Defense, Section 25249, and (5)
17 Government Code Section 11507.5, 11507.6 and 11507.7. TM Murphy received these documents
18 on November 26, 2003.

19 5. As of the date of this order, the Department of Corporations has not received a
20 request for a hearing in this matter. More than thirty days have elapsed since TM Murphy was
21 served with the documents referenced in paragraph 4, above.

22 NOW THEREFORE, good cause showing, and pursuant to Corporations Code section
23 25251, the California Corporations Commissioner finds that Respondent has willfully violated
24 Corporations Code section 25241 and California Code of Regulations, title 10, section 260.241.2,
25 subdivision (a) and hereby makes final the Order To Discontinue Violations Pursuant To

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Corporations Code Section 25249 issued on November 6, 2003.

Dated: January 8, 2004

WILLIAM P. WOOD
California Corporations Commissioner

By: _____
ALAN S. WEINGER
Supervising Counsel
Enforcement and Legal Services Division