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8 Attorneys for the Complainant

10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
11 OF THE STATE OF CALIFORNIA

12 In the Matter of:

CRD NO.: 135185

13 THE COMMISSIONER OF BUSINESS  
14 OVERSIGHT,

ORDER SUMMARILY REVOKING  
INVESTMENT ADVISER CERTIFICATE

15 Complainant,

16 v.

(CORP. CODE SECTION 25242)

17 JONATHAN PITTS CARROLL, doing  
18 business as CARROLL & COMPANY  
19 CAPITAL MANAGEMENT,

20 Respondent.

21  
22 TO: Jonathan Pitts Carroll  
dba Carroll & Company Capital Management  
23 801 Travis Street, Suite 2100 B  
Houston, Texas 77002

24 Jan Lynn Owen, Commissioner of Business Oversight (Commissioner) of the Department of  
25 Business Oversight (DBO) finds that:

- 26 1. At all relevant times, Jonathan Pitts Carroll (Carroll), doing business as Carroll &  
27 Company Capital Management (Carroll & Company Capital Management), held a valid and  
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1 unrevoked investment adviser certificate issued by the Commissioner on June 1, 1990, pursuant to  
2 Corporations Code section 25230. Carroll & Company Capital Management is an investment adviser  
3 business located at 801 Travis Street, Suite 2100 B, Houston, Texas 77002. Carroll & Company  
4 Capital Management is a sole proprietorship.

5 2. On or about March 14, 2018, the Commissioner notified Carroll that he must designate  
6 an email address to receive an online examination form. In response to the Commissioner's  
7 notification, Carroll designated an email to receive the online examination form.

8 3. On or about October 2, 2018, the Commissioner sent the online examination to Carroll  
9 to the email designated by Carroll. The Commissioner informed Carroll that the online examination  
10 must be completed and submitted by November 16, 2018.

11 4. The Commissioner sent four emails, dated October 15, 2018, October 29, 2018,  
12 November 5, 2018, and November 12, 2018, to Carroll's designated email address, reminding him of  
13 the November 16, 2018 deadline to complete and submit the online examination.

14 5. Despite the Commissioner's efforts, Carroll failed to timely complete and submit the  
15 online examination by the November 16, 2018 deadline.

16 6. Corporations Code section 25241 requires every investment adviser licensed by the  
17 Commissioner to maintain books and records, file reports with the Commissioner, and submit to  
18 examination by the Commissioner, as the Commissioner deems necessary or appropriate in the  
19 public interest or for the protection of investors.

20 Therefore, based on the foregoing and good cause appearing, it is hereby ORDERED under  
21 Corporations Code section 25242, subdivision (c), that Jonathan Pitts Carroll, doing business as  
22 Carroll & Company Capital Management investment adviser certificate is summarily revoked for  
23 violations of section 25241. This order is effective immediately. This revocation precludes Carroll  
24 from engaging in normal investment adviser activities that solicit or facilitates new business,  
25 including for existing clients.

26 This revocation does not preclude Carroll from engaging in activities necessary to the  
27 winding down of the business such as liquidating transactions, transferring accounts, forwarding any  
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1 checks received to clearing firms, responding to regulatory inquiries, and otherwise fielding  
2 client/customer inquiries for account servicing or document requests, among other things.

3 This order is necessary, in the public interest, for the protection of investors and consistent  
4 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

5 Dated: March 25, 2019

6 JAN LYNN OWEN  
7 Commissioner of Business Oversight

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9 By: \_\_\_\_\_  
10 MARY ANN SMITH  
11 Enforcement Division  
12 Department of Business Oversight  
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