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8 Attorneys for the Complainant

10 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION  
11 OF THE STATE OF CALIFORNIA

12 In the Matter of:

IA LICENSE NO. 155702

13 THE COMMISSIONER OF FINANCIAL  
14 PROTECTION AND INNOVATION,

15 Complainant,

ORDER SUMMARILY REVOKING  
INVESTMENT ADVISER CERTIFICATE

16 v.

17 WILLIAM D. MCBREARTY, doing business  
as MCBREARTY FINANCIAL SERVICES, an  
18 individual,

(CORPORATIONS CODE SECTION 25242)

19 Respondent.

20 TO: William D. McBrearty, doing business as  
21 McBrearty Financial Services  
3200 North Central Ave, Suite 1150  
22 Phoenix, Arizona 85012

23 Manuel P. Alvarez, Commissioner of the Department of Financial Protection and Innovation

24 (DFPI) finds that:

25 1. At all relevant times, William D. McBrearty, doing business as McBrearty Financial  
26 Services, (McBrearty) held a valid and unrevoked investment adviser certificate issued by the  
27 Commissioner on September 29, 2011, pursuant to Corporations Code section 25230. McBrearty  
28 maintains a place of business at 3200 North Central Ave, Suite 1150, Phoenix, Arizona 85012.

1 2. Corporations Code section 25241 requires every investment adviser licensed by the  
2 Commissioner to maintain books and records, file reports as the Commissioner by regulation  
3 requires, and submit to examination by the Commissioner, as the Commissioner deems necessary or  
4 appropriate in the public interest or for the protection of investors.

5 3. On April 1, 2020, as part of a regulatory examination, the Commissioner's staff made  
6 examination requests to McBrearty. The Commissioner's staff requested that McBrearty respond to  
7 the examination requests by May 15, 2020. McBrearty failed to respond by the May 15, 2020  
8 deadline and the Commissioner's staff continued to request information from McBrearty on May 20,  
9 2020, May 27, 2020, and August 6, 2020.

10 4. To date, McBrearty has failed to fully respond to these examination requests.

11 NOW THEREFORE, GOOD CAUSE SHOWING, it is hereby ORDERED under the  
12 provisions of Corporations Code section 25242, subdivision (c), that the investment adviser  
13 certificate of William D. McBrearty, doing business as McBrearty Financial Services, is summarily  
14 revoked for violations of section 25241. This revocation precludes William D. McBrearty, doing  
15 business as McBrearty Financial Services, from engaging in normal investment adviser activities  
16 that solicit or facilitates new business, including for existing clients.

17 This revocation does not preclude William D. McBrearty, doing business as McBrearty  
18 Financial Services, from engaging in activities necessary to the winding down of the business such  
19 as liquidating transactions, transferring accounts, forwarding any checks received to clearing firms,  
20 responding to regulatory inquiries, and otherwise fielding client/customer inquiries for account  
21 servicing or document requests, among other things. This order is effective immediately.

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

24 Dated: January 4, 2021

25 MANUEL P. ALVAREZ  
26 Commissioner of Financial Protection and Innovation

27 By: \_\_\_\_\_  
28 MARY ANN SMITH  
Enforcement Division  
Department of Financial Protection and Innovation