

1 CLOTHILDE V. HEWLETT
Commissioner
2 MARY ANN SMITH
Deputy Commissioner
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11 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
12 OF THE STATE OF CALIFORNIA
13

14 In the Matter of:) CRD NO. 311133
15)
16 THE COMMISSIONER OF FINANCIAL)
PROTECTION AND INNOVATION,)
17 Complainant,) ORDER SUMMARILY SUSPENDING
18 v.) INVESTMENT ADVISER
19) CERTIFICATE
20) (Corp. Code, § 25242, subdivision (c))
21)
MAXWELL INVESTMENT ADVISORY)
AND WEALTH MANAGEMENT LLC,)
Respondent.)

22 The Commissioner of Financial Protection and Innovation (Commissioner) finds:

- 23 1. MAXWELL INVESTMENT ADVISORY AND WEALTH MANAGEMENT LLC
24 (MAXWELL INVESTMENT) is a California Limited Liability Company with its principal place of
25 business at 3501 MALL VIEW RD, BAKERSFIELD, CA 93306.
26 2. On February 23, 2021, the Commissioner issued an investment adviser certificate to
27 MAXWELL INVESTMENT pursuant to Corporations Code section 25230, Central Registration
28 Depository (CRD) Number 311133.

1 3. MAXWELL, SHAWN, KELLY CRD Number 5162036, is the owner of MAXWELL
2 INVESTMENT.

3 4. According to the Investment Adviser Registration Depository (IARD), investment
4 adviser has not filed an annual updating amendment to its Form ADV for 2021. Pursuant to
5 California Code of Regulations, title 10, section 260.241.4, subdivision (e), a licensed investment
6 adviser shall file an annual updating amendment, in accordance with the instruction in Form ADV,
7 with IARD in accordance with its procedures for transmission to the Commissioner within ninety
8 (90) days of the end of the investment adviser’s fiscal year.

9 5. By March 31, 2022, the investment adviser had not updated its Form ADV on IARD.

10 6. On September 8, 2022, the Commissioner issued an Order to Discontinue Violation
11 against MAXWELL INVESTMENT and served it by certified mail return receipt and electronic
12 mail.

13 7. To date, the Commissioner still has not received a response from MAXWELL
14 INVESTMENT and MAXWELL INVESTMENT is in violation of the Order to Discontinue
15 Violation.

16 8. The Commissioner finds that MAXWELL INVESTMENT violated Cal. Code of
17 Regs., tit. 10, section 260.241.4, subdivision (e), investment advisers are required to file any report
18 required under Corporations Code section 25241 within 10 days after notice by the Commissioner
19 that the report is due.

20 9. Under Corporations Code section 25242, subdivision (c)(2), the Commissioner may
21 summarily suspend the certificate of the investment adviser if the investment adviser fails to file any
22 report required under Cal. Code of Regs., tit. 10, section 260.241.4 and Corporations Code section
23 25241 within 10 days after notice by the Commissioner that the report is due.

24 10. Under Corporations Code section 25242, subdivision (c)(6), the Commissioner may
25 summarily suspend the certificate the investment adviser if the investment adviser fails to maintain
26 records as required by Cal. Code of Regs., tit. 10, section 260.241.4 and Corporations Code section
27 25241.

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1 NOW, BASED UPON THE FOREGOING AND GOOD CAUSE APPEARING, IT IS
2 HEREBY ORDERED under Corporations Code section 25242, subdivision (c), that the investment
3 adviser certificate of MAXWELL INVESTMENT ADVISORY AND WEALTH MANAGEMENT
4 LLC is summarily suspended for thirty (30) days. This Order is effective immediately. MAXWELL
5 INVESTMENT ADVISORY AND WEALTH MANAGEMENT LLC is precluded from soliciting
6 or facilitating new business, including existing clients. This summary suspension does not preclude
7 MAXWELL INVESTMENT ADVISORY AND WEALTH MANAGEMENT LLC from engaging
8 in activities necessary to wind down the business, such as liquidating transactions, transferring
9 accounts, forwarding checks received to the clearing firm, responding to regulatory inquiries, filing
10 Form U-5s for registered representatives, fielding client requests for account servicing or documents,
11 for up to 30 days after the date of this Order.

12 The Commissioner finds this action is appropriate, in the public interest, for the protection of
13 investors, and consistent with the purposes fairly intended by the policies and procedures of the
14 Corporate Securities Law of 1968 (Corp. Code, § 25000 et seq.).

15 Dated: November 7, 2022

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



16
17 By: _____
18 BALBIRO KAZLA
19 Deputy Commissioner
20 Broker-Dealer Investment Adviser
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