

ensure that the supervisor had sufficient information to determine whether the exchange was suitable for the customer. With respect to the transactions described herein, the Respondents have been unable to locate a Mutual Fund Transaction Letter. The customer denies authorizing the transactions and Respondents assert that they were in fact authorized, but no finding is made as to whether the transactions were authorized or unauthorized.

4. Pursuant to N.D.C.C. § 10-04-10.3 and N.D.A.C. § 73-02-07-01, every broker-dealer and agent conducting business in this state are required to maintain certain books and records as described therein. A Mutual Fund Transaction Letter should have been created by or through Mr. Vollmers and should have been maintained by Piper Jaffray. Respondents' failure to produce the required Mutual Fund Transaction Letter as requested by the Securities Department constitutes a violation of these provisions.

5. Pursuant to N.D.C.C. § 10-04-16, when it shall appear to the Commissioner that any person has engaged in, or is engaging in, or is about to engage in any act or practice which is prohibited by Chapter 10-04 of the North Dakota Century Code, the Securities Commissioner may issue any order and assess civil penalties in an amount not to exceed \$10,000 for each violation. The violation described above is sufficient grounds for the Commissioner to assess civil penalties against the Respondents pursuant to N.D.C.C. § 10-04-16(1).

6. Respondent, Piper Jaffray & Co., acknowledges its right to a hearing on this matter and waives this right to a hearing and to present arguments to the Commissioner.

7. Respondent, Piper Jaffray & Co., agrees to resolve this matter with the Commissioner by this Consent Order.

8. The following Order is necessary and appropriate in the public interest for the protection of investors.

NOW, THEREFORE, IT IS ORDERED, that:

1. Respondent, Piper Jaffray, shall maintain its books and records in accordance with the requirement of N.D.C.C. § 10-04-10.3(1) and regulations promulgated by the Commissioner thereunder.

2. Respondent, Piper Jaffray, shall pay a civil penalty of \$2,000, made payable to the North Dakota Securities Department, upon entry of this Consent Order in order to compensate the Department for administrative costs in connection with this matter.

3. The Commissioner reserves the authority to direct any penalties to the North Dakota Investor Restitution Fund (Fund # 262), for the purpose of repaying aggrieved investors, as appropriate.

4. The Order for and Notice of Civil Penalty and Notice of Right to Request a Hearing issued by the Commissioner on January 13, 2012, is hereby vacated as to the Respondent, Piper Jaffray & Co.

5. This Consent Order shall be effective upon signature of the Commissioner.

IN TESTIMONY WHEREOF, witness my hand and seal this 16th day of February, 2012.





Karen J. Tyler, Securities Commissioner
North Dakota Securities Department
600 East Boulevard Ave.
State Capitol – Fifth Floor
Bismarck, ND 58505-0510
(701) 328-2910

STATE OF NORTH DAKOTA

SECURITIES DEPARTMENT

In the Matter of Piper Jaffray & Co.)	
and Brady Vollmers,)	
)	CONSENT TO ENTRY OF ORDER
Respondents.)	

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Based on mutual concessions and a willingness to resolve all matters discussed in the foregoing Consent Order, the undersigned, on behalf of the Respondent Piper Jaffray & Co., states that:

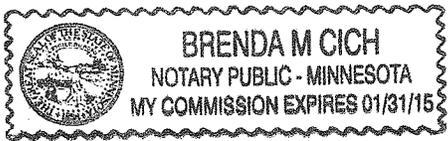
1. He or she has read the foregoing Consent Order and knows and fully understands its contents and effects.
2. The Respondent Piper Jaffray & Co. has been advised of its right to a hearing with regard to this matter and has waived its right to a hearing.
3. The foregoing Consent Order constitutes the entire settlement agreement between the Respondent Piper Jaffray & Co. and the Securities Commissioner, there being no other promises or agreements, either expressed or implied.
4. The Respondent Piper Jaffray & Co. neither admits nor denies the factual determinations of the Commissioner, as set forth in the foregoing Consent Order, but it is precluded from denying those determinations in any forum, public or otherwise.
5. The Respondent Piper Jaffray & Co. consents to entry of the foregoing Consent Order by the Securities Commissioner and does so willingly for the purpose of resolving the issues described in the foregoing Consent Order.

Dated this 1st day of February, 2012.

Piper Jaffray & Co.
800 Nicollet Mall, J09N02
Minneapolis, MN 55402-7020

By: [Signature]
Its: General Counsel

Subscribed and sworn to before me this 1st day of February, 2012.



(Notary Seal)

Brenda M. Cich
Notary Public

State: MN County: Anoka
My Commission Expires: 1/31/15