

5. Commencing in October 2003 and continuing in 2004, the Respondent, Jammie N. Avila, offered for sale and sold nine LPI viatical settlement contracts to two North Dakota residents for a total purchase price of \$80,000. Said viatical settlement contracts are securities as defined in N.D.C.C. §10-04-02(19).
6. The subject securities have not been registered with the Securities Department under N.D.C.C. §§ 10-04-07.1, 10-04-08, or 10-04-08.1; are not exempt securities under N.D.C.C. § 10-04-05; and have not been offered for sale or sold in exempt transactions under N.D.C.C. § 10-04-06; and are not federal covered securities or have not been properly filed as federal covered securities under N.D.C.C. § 10-04-08.4. All offers and sales of the subject securities were made in violation of N.D.C.C. § 10-04-04 and the Respondent, Jammie N. Avila, engaged in nine violations of N.D.C.C. § 10-04-04.
7. The transactions referenced above were conducted at a time when the Respondent, Jammie N. Avila, was not registered as an agent with the Securities Department. Jammie N. Avila, engaged in nine violations of N.D.C.C. § 10-04-10(2).
8. 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 declared in violation of Chapter 10-04 of the North Dakota Century Code, the Securities Commissioner has the authority to Order that a person Cease and Desist from violations of the Securities

Act, to rescind transactions made in violation of the Securities Act, and to assess civil penalties in an amount not to exceed \$10,000 for each violation of the Securities Act. The violations described above are sufficient grounds for the Commissioner to assess civil penalties against the Respondent pursuant to N.D.C.C. § 10-04-16(1).

9. Respondent acknowledges his right to a hearing on this matter and waives this right to a hearing and to present arguments to the Commissioner.
10. Respondent agrees to resolve this matter with the Securities Commissioner by this Consent Order.
11. The following Order is necessary and appropriate in the public interest and for the protection of investors.

NOW, THEREFORE, IT IS ORDERED, that:

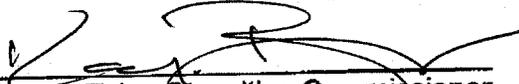
1. Respondent, Jammie N. Avila, shall not offer for sale and/or sell any security in North Dakota unless that security is registered with the Securities Department or exempt from registration under N.D.C.C. Chapter 10-04.
2. Respondent, Jammie N. Avila, shall not transact any securities business with any person in North Dakota unless the Respondent is registered as an agent or properly exempted under N.D.C.C. Chapter 10-04.
3. Respondent, Jammie N. Avila, is hereby assessed and shall pay a civil penalty of \$1,800.00 to the North Dakota Securities Department based on the violations discussed above.

4. The Cease and Desist Order and Order for Civil Penalty dated June 27, 2008, previously issued, is superseded by this Consent Order and is hereby vacated as to Respondent, Jammie N. Avila.
5. This Order shall be effective upon signature of the Commissioner.

IN TESTIMONY WHEREOF, witness my hand and seal this 23rd day of

March, 2009.




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 Jammie N. Avila,
Respondent.

CONSENT TO
ENTRY OF ORDER

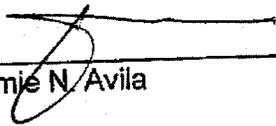
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Based on mutual concessions and a willingness to resolve all matters discussed in the foregoing Consent Order, the undersigned Respondent states that:

1. He has read the foregoing Consent Order, and knows and fully understands its contents and effects.
 2. He has been advised of his right to a hearing with regard to this matter, and has specifically waived his right to a hearing.
 3. He has been advised that any willful violation of this order is a Class B Felony pursuant to Section 10-04-18(1) N.D.C.C. and is punishable by a \$10,000 fine and 10 years' imprisonment, with respect to a natural person, pursuant to Section 12.1-32-01(3) N.D.C.C.
 4. The foregoing Consent Order constitutes the entire settlement agreement between the Respondent and the Securities Commissioner, there being no other promises or agreements, either expressed or implied.
 5. He admits the accuracy of the factual determinations of the Commissioner, as set forth in the foregoing Consent Order, and is specifically precluded from denying those determinations in any forum, public or otherwise.
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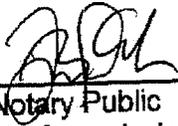
6. He consents to entry of the foregoing Consent Order by the Securities Commissioner, and does so willingly for the purpose of resolving the issues described in the foregoing Consent Order.

Dated this ___ day of March, 2009.



Jammie N. Avila

Subscribed and Sworn to before me this 18 day of March, 2009.



Notary Public
My Commission Expires:

(Notary Seal)

