

JOHN MORGAN  
SECURITIES COMMISSIONER

RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

Mail: P.O. BOX 13167  
AUSTIN, TEXAS 78711-3167

Phone: (512) 305-8300  
Facsimile: (512) 305-8310



## *Texas State Securities Board*

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
www.ssb.state.tx.us

BETH ANN BLACKWOOD  
CHAIR

DERRICK MITCHELL  
MEMBER

E. WALLY KINNEY  
MEMBER

DAVID A. APPLEBY  
MEMBER

ALAN WALDROP  
MEMBER

### **SSB DOCKET NO. REG14-01**

IN THE MATTER OF §  
SMART TRUST®, TAX FREE §  
INCOME TRUST, SERIES 13 §

TO: Kevin D. Mahn  
Managing Director and Chief Investment Officer  
Smart Trust®, Tax Free Income Trust, Series 13  
c/o Hennion & Walsh, Inc.  
2001 Route 46, Waterview Plaza  
Parsippany, NJ 07054

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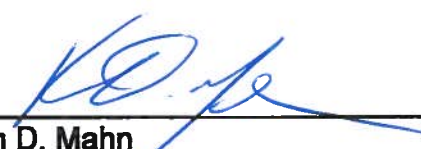
### **WAIVER OF NOTICE AND OPPORTUNITY FOR HEARING AND STIPULATION OF EVIDENCE**

Kevin D. Mahn, as an agent for Smart Trust®, Tax Free Income Trust, Series 13, being duly sworn, states that:

1. Smart Trust®, Tax Free Income Trust, Series 13, is the Respondent in the above-styled proceeding.
2. Smart Trust®, Tax Free Income Trust, Series 13, hereby waives a) the right to a hearing in this matter, b) the right to present evidence and argument in this matter, and c) all other procedural rights conferred by The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-43 (West 2010 & Supp. 2013) ("Texas Securities Act"), and the Tex. Gov't Code Ann. §§ 2001.001 to 2001.902 (West 2008 & Supp. 2013) ("Administrative Procedure Act").
3. Smart Trust®, Tax Free Income Trust, Series 13, hereby consents to the entry of the following findings by the Securities Commissioner of Texas:

- a. Smart Trust®, Tax Free Income Trust, Series 13, has sold securities in Texas in the form of units of Undivided Interest in Smart Trust®, Tax Free Income Trust, Series 13, in an aggregate amount of \$1,262,540, pursuant to an offering which was not registered under Section 7 or 10 of the Texas Securities Act and for which the transactions or securities were not exempt under Section 5 or 6 of the Texas Securities Act.
- b. Pursuant to Section 35-2 of the Texas Securities Act, Smart Trust®, Tax Free Income Trust, Series 13, has agreed to pay a fee to the State Securities Board equal to six times the amount that would have been paid if the above-described securities had been registered for sale in Texas, including interest on that amount.

Smart Trust®, Tax Free Income Trust, Series 13

By:   
Kevin D. Mahn  
Managing Director and Chief Investment Officer  
Smart Trust®, Tax Free Income Trust, Series 13

**ACKNOWLEDGMENT**

On this 20th day of June, 2014, Kevin D. Mahn personally appeared before me and did acknowledge to me that he has voluntarily executed the foregoing document and that he was authorized to execute the same on behalf of Smart Trust®, Tax Free Income Trust, Series 13.

  
Notary Public in and for  
the State of

\_\_\_\_\_  
[affix notary seal here]

My commission expires on: \_\_\_\_\_

Deborah Williams  
Notary Public of New Jersey  
My Commission Expires March 7, 2015

JOHN MORGAN  
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### SSB DOCKET NO. REG14-01

IN THE MATTER OF §  
SMART TRUST®, TAX FREE §  
INCOME TRUST, SERIES 13 §

Order No. REG14-FIN-01

TO: Kevin D. Mahn  
Managing Director and Chief Investment Officer  
Smart Trust®, Tax Free Income Trust, Series 13  
c/o Hennion & Walsh, Inc.  
2001 Route 46, Waterview Plaza  
Parsippany, NJ 07054

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### ORDER BY CONSENT TO PAY FEES FOR SALES OF UNREGISTERED SECURITIES

Be it remembered that on the 2nd day of July, 2014, the above-referenced matter came on to be heard before the Securities Commissioner of Texas, and it appearing that Smart Trust®, Tax Free Income Trust, Series 13, having waived in writing the opportunity to present evidence and argument in this matter and having consented to the entry of this Order, the Securities Commissioner of Texas therefore finds as follows:

1. Smart Trust®, Tax Free Income Trust, Series 13, is the Respondent in the above-styled proceeding.
2. Smart Trust®, Tax Free Income Trust, Series 13, hereby waives a) the right to a hearing in this matter, b) the right to present evidence and argument in this matter, and c) all other procedural rights conferred by The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-43 (West 2010 & Supp. 2013) ("Texas Securities Act"), and the Tex. Gov't Code Ann. §§ 2001.001 to 2001.902 (West 2008 & Supp. 2013) ("Administrative Procedure Act").

3. Smart Trust®, Tax Free Income Trust, Series 13, hereby consents to the entry of the following findings by the Securities Commissioner of Texas:
- a. Smart Trust®, Tax Free Income Trust, Series 13, has sold securities in Texas in the form of units of Undivided Interest in Smart Trust®, Tax Free Income Trust, Series 13, in an aggregate amount of \$1,262,540, pursuant to an offering which was not registered under Section 7 or 10 of the Texas Securities Act and for which the transactions or securities were not exempt under Section 5 or 6 of the Texas Securities Act.
  - b. Pursuant to Section 35-2 of the Texas Securities Act, Smart Trust®, Tax Free Income Trust, Series 13, has agreed to pay a fee to the State Securities Board equal to six times the amount that would have been paid if the above-described securities had been registered for sale in Texas, including interest on that amount.


**ORDER**

It is therefore ORDERED that Smart Trust®, Tax Free Income Trust, Series 13, pay to the State Securities Board for sales of unregistered securities, pursuant to Section 35-2 of the Texas Securities Act, the amount of \$6,449.67.

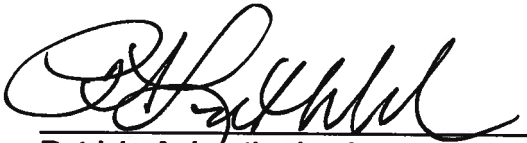
SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 2nd  
day of July, 2014.


  
\_\_\_\_\_  
JOHN MORGAN  
Securities Commissioner

**Respondent: Smart Trust, Tax Free Income Trust,  
Series 13**

By:   
Kevin D. Mahn  
Managing Director and Chief Investment Officer  
Smart Trust®, Tax Free Income Trust, Series 13

Approved as to Form:

  
Patricia A. Louterback  
Director  
Registration Division

  
Sheri Palma  
Attorney  
Registration Division