

JOHN MORGAN
SECURITIES COMMISSIONER



RONAK V. PATEL
DEPUTY SECURITIES COMMISSIONER

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MEMBER

MIGUEL ROMANO, JR.
MEMBER

IN THE MATTER OF THE
INVESTMENT ADVISER
REPRESENTATIVE REGISTRATON
OF ROBERT MICHAEL KUHN

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§
§

Order No. REG16-SUS-01

TO: Robert Michael Kuhn (CRD No. 2971886)
Capital Preservation Group
6675 Mediterranean Drive, Suite 505
McKinney, TX 75070

DISCIPLINARY ORDER

Be it remembered that Robert Michael Kuhn ("Respondent"), appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this order ("Order") and the Findings of Fact and Conclusions of Law contained herein.

FINDINGS OF FACT

1. Respondent has waived (a) Respondent's rights to notice and hearing in this matter; (b) Respondent's rights to appear and present evidence in this matter; (c) Respondent's rights to appeal this Order; and (d) all other procedural rights granted to the Respondent by The Securities Act, Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-44 (West 2010 & Supp. 2015)("Texas Securities Act"), and the Administrative Procedure Act, Tex. Gov't Code Ann. §§ 2001.001 to 2001.902 (West 2008 & Supp. 2015)("Administrative Procedure Act").
2. From September 9, 2011 through November 16, 2015, Respondent was registered as an agent and investment adviser representative of UBS Financial Services, Inc. ("UBS").
3. On February 23, 2016, Respondent applied for registration as an investment adviser representative of Capital Preservation Group ("CRP"). This application is currently pending.

4. Respondent submitted a request to UBS on September 11, 2012 to invest in a private company ("Company"). This request was approved by UBS on November 11, 2012.
5. In addition to his financial investment in the Company, Respondent personally guaranteed multiple lines of credit on behalf of the Company. This was not told to UBS.
6. The Company ultimately failed to make payments on at least four (4) of the lines of credit for which Respondent had provided a personal guarantee. As a result, certain lenders filed liens against Respondent on:
 - a. December 17, 2013;
 - b. October 21, 2014;
 - c. December 4, 2014; and
 - d. September 1, 2015.
7. Respondent received notice of each lien in or around the month each lien was filed against Respondent.
8. Sections 115.9 and 116.9 of the Rules and Regulations of the Texas State Securities Board ("Board Rules") require that any change in any information previously disclosed to the Securities Commissioner on any application form be reported to the Securities Commissioner within thirty (30) days.
9. Respondent initially filed a Uniform Application for Securities Industry Registration or Transfer ("Form U4") with the Securities Commissioner to register as an agent and investment adviser representative of UBS on September 9, 2011.
10. In response to Question 14M on the Form U4, Respondent answered "No," indicating that Respondent did not have any unsatisfied judgments or liens against him.
11. Beginning in or around December 2013, Respondent could no longer answer "No" to Question 14M. Yet, Respondent did not update his Form U4 to reflect any liens until February 3, 2015.

CONCLUSIONS OF LAW

1. Respondent's failures to report to the Securities Commissioner the changes of information in connection with Question 14M of the Form U4 within thirty (30) days of such changes are violations of §115.9 and §116.9 of the Board Rules.
2. Pursuant to Section 14.A(6) of the Texas Securities Act, Respondent's violations of the Board Rules constitute bases for the suspension of Respondent's registration with the Securities Commissioner.

3. Pursuant to Section 23-1 of the Texas Securities Act, Respondent's violations of the Board Rules constitute bases for the assessment of an administrative fine against Respondent.

ORDER

1. It is therefore ORDERED that the registration of Robert Michael Kuhn as an investment adviser representative of Capital Preservation Group is hereby GRANTED.
2. It is further ORDERED that Robert Michael Kuhn is hereby SUSPENDED for a period of thirty (30) days from the date this Order is entered by the Securities Commissioner.
3. It is further ORDERED that Robert Michael Kuhn is hereby ASSESSED AN ADMINISTRATIVE FINE in the amount of Five Thousand Dollars (\$5,000.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner in the amount of Five Thousand Dollars (\$5,000.00), payable to the State of Texas, contemporaneously with the delivery of this Order.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 23rd day of May, 2016.

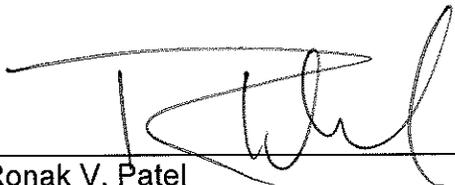

JOHN MORGAN
Securities Commissioner

Respondent:



Robert Michael Kuhn

Approved as to Form:



Ronak V. Patel
Deputy Securities Commissioner

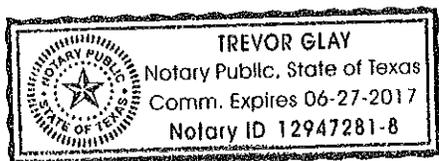


Clinton Edgar
Director
Registration Division

ACKNOWLEDGMENT

On the 20th day of May, 2016, Robert Michael Kuhn ("Respondent") personally appeared before me, executed the foregoing Order and acknowledged that:

1. Respondent has read the foregoing Order;
2. Respondent has been fully advised of his rights under the Texas Securities Act and the Administrative Procedure Act;
3. Respondent knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained therein; and
4. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived his rights as set forth therein.



[affix notary seal here]

A handwritten signature in black ink, appearing to read "Trevor Glay", written over a horizontal line.

Notary Public in and for
the State of Texas

My commission expires on: June 27, 2017