

DENISE VOIGT CRAWFORD  
SECURITIES COMMISSIONER



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## State Securities Board

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JOSE ADAN TREVINO  
MEMBER

**SSB Docket No. 99-022**

IN THE MATTER OF THE  
AGENT REGISTRATION OF  
JOHNSON VINH NGO

§  
§  
§

**Order No. CAF-1351**

TO: Johnson Vinh Ngo (CRD# 2955816)  
2216 San Gabriel #303  
Austin, TX 78705

### DISCIPLINARY ORDER REPRIMANDING AN AGENT

Be it remembered that Johnson Vinh Ngo ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this Order and the Findings of Fact and the Conclusions of Law contained herein.

#### FINDINGS OF FACT

1. Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 1999) ("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 et seq. (Vernon Supp. 1999) ("Administrative Procedure Act").
2. Respondent was charged with a misdemeanor, fraudulent removal of writing, on or about June 23, 1996. The charge was dismissed on or about September 16, 1996, after Respondent was accepted into a Pre-Trial Diversion Program. Respondent successfully complied with the terms of said program.
3. The Form U-4 application for registration requires applicants to disclose any misdemeanor charge involving fraud or wrongful taking of property.
4. Respondent was registered with the Securities Commissioner as an agent of Crispin Koehler Securities from on or about December 23, 1997, to on or about December 31, 1997, and from on or about January 13, 1998, to on or about February 9, 1998. While registered with Crispin Koehler Securities, Respondent

failed to disclose the misdemeanor charge on his Form U-4 application for registration as required by that form.

5. Respondent has been registered with the Securities Commissioner as an agent of Josephthal & Co., Inc. since on or about January 16, 1998. While applying for registration with Josephthal & Co., Inc., Respondent failed to disclose the misdemeanor charge on his Form U-4 application for registration as required by that form. Respondent subsequently amended his Form U-4 application for registration to disclose the charge on or about August 13, 1998.
6. Pursuant to § 101.2(c) of the Rules and Regulations of the State Securities Board ("Board Rules") certain forms required to be filed with the Securities Commissioner, including Form U-4, have been adopted as Board Rules.

#### CONCLUSIONS OF LAW

1. A failure to disclose information required by Form U-4 constitutes a violation of a Board Rule.
2. The foregoing rule violations constitute violations of Sections 14.A(6) and 14.A(7) of the Texas Securities Act, which are bases for the issuance of an order reprimanding an agent.
3. Pursuant to Section 23-1 of the Texas Securities Act, the foregoing violations of the Texas Securities Act and Board Rules constitute bases for the issuance of an order assessing an administrative fine against an agent.

#### ORDER

1. It is therefore ORDERED that Respondent is hereby REPRIMANDED;
2. It is further ORDERED that Respondent is ASSESSED AN ADMINISTRATIVE FINE in the amount of Five Hundred Dollars (\$500.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner in the amount of Five Hundred Dollars (\$500.00), payable to the State of Texas, contemporaneously with the delivery of this Order.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 16<sup>th</sup> day of March, 1999.

*Denise Voigt Crawford*

DENISE VOIGT CRAWFORD  
Securities Commissioner

Respondent:  
Johnson Vinh Ngo

*Johnson Vinh Ngo*

Approved as to Form:

*Michael S. Gunst*  
Michael S. Gunst, Director  
Dealer Registration Division

*Charles S. Neal*  
Charles S. Neal, Attorney  
Enforcement Division

**ACKNOWLEDGMENT**

On the 10 day of MARCH, 1999, Johnson Vinh Ngo, 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 Respondent's 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 Respondent's rights as set forth therein.

[affix notary seal here]

*Charles S. Neal*  
Notary Public in and for  
the State of TEXAS

My commission expires on:

MAY 12, 2001