

STATE OF OHIO
DEPARTMENT OF COMMERCE
DIVISION OF SECURITIES
COLUMBUS, OHIO 43215-6131

Order No. 11-010

IN THE MATTER OF: LOCHLAINN OHAIMHIRGIN
CRD NUMBER 3094966

CEASE AND DESIST ORDER

DIVISION ORDER

WHEREAS, the Ohio Division of Securities ("the Division") is charged with the responsibility of protecting investors and finds that this Order is necessary or appropriate in the public interest or for the protection of investors, and is consistent with the purposes of the Ohio Securities Act, Chapter 1707 of the Ohio Revised Code ("R.C.");

WHEREAS, the Division issued a Notice of Opportunity for Hearing ("Notice") under Order No. 10-090 on November 19, 2010;

WHEREAS, the Respondent, after receiving the Notice by certified mail, declined his right to a hearing; and

WHEREAS, the Division has conducted an investigation into the activities of Lochlainn Ohaimhirgin ("Respondent"), whose last known business address is 387 Golf View Lane, 2nd Floor, Highland Heights, Ohio 44143 and whose last known home address is 405 South Stonehaven Drive, Highland Heights, Ohio 44143, and as a result of said investigation, the Division finds as follows:

- (1) Respondent is a natural person who conducted business in the State of Ohio during all time periods relevant to this order;
- (2) From January 25, 2005, through April 21, 2005, Respondent was licensed in Ohio by the Division as an investment adviser representative ("IAR") employed by Legacy Financial Services, Inc.;
- (3) The Respondent was not again licensed by the Division as an IAR until April 17, 2006, afterward, he terminated his license on or about May 20, 2009;
- (4) During the first quarter of 2006, at a time he was not licensed by the Division, Respondent acted as an investment adviser by advising James H. Herringshaw and Barbara A. Herringshaw, husband and wife;

- (5) R.C. 1707.01(X)(1) defines an “investment adviser” as “[A]ny person who, for compensation, engages in the business of advising others, either directly or through publications or writings, as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as a part of regular business, issues or promulgates analyses or reports concerning securities”;
- (6) R.C. 1707.141(A)(1) provides in pertinent part that no person shall act as an investment adviser without being licensed as an investment adviser by the Division;
- (7) R.C. 1707.44(A)(2) prohibits one from engaging in any act or practice that violates R.C. 1707.141(A)(1); and
- (8) Because as set forth in Paragraph (4), above, Respondent acted as an investment adviser without being licensed, he violated R.C. 1707.44(A)(2).

THEREFORE, IT IS ORDERED THAT, pursuant to R.C. 1707.23(G), Lochlainn Ohaimhirgin **CEASE AND DESIST** from any further acts and practices constituting violations of R.C. Chapter 1707.

TIME AND METHOD TO FILE AN APPEAL: Any part desiring to appeal shall file a Notice of Appeal with the Division of Securities, 77 South High Street, 22nd Floor, Columbus, Ohio 43215, setting forth the order appealed from and the grounds of the party’s appeal. A copy of such Notice of Appeal shall also be filed by the appellant with the Franklin County Court of Common Pleas. Such notices of appeal shall be filed within fifteen (15) days after the mailing of the notice of the Division’s Order as provided in Section 119.12 of the Ohio Revised Code.

MJB/cn

WITNESS MY HAND AND THE OFFICIAL SEAL OF THIS DIVISION at
Columbus, Ohio this 8th day of February, 2011.

Andrea L. Seidt, Commissioner of Securities