

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

IN THE MATTER OF: FRANCIS MICHAEL EVANS)

FILE NO. 0800473

NOTICE OF HEARING

TO THE RESPONDENT: Francis Michael Evans
(CRD #: 4479794)
1222 W. 41st Street
LaGrange, Illinois
60525

You are hereby notified that pursuant to Section 11.E of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 14th day of January 2009, at the hour of 10:00 a.m. or as soon as possible thereafter, before Hearing Officer Soula J. Spyropoulos or such duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered which would revoke Francis Michael Evans' registration as a salesperson and as an investment advisor representative in the State of Illinois and/or granting such other relief as may be authorized under the Act including, but not limited to, the imposition of a monetary fine in the maximum amount pursuant to Section 11.E of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

1. Respondent Francis Michael Evans ("Evans") has been a registered investment advisor representative in the State of Illinois for Eagle Strategies LLC ("Eagle") from May 5, 2001 to the present.
2. Evans has been a registered salesperson in the State of Illinois for New York Life Securities, LLC ("New York Life") from October 22, 2001 to the present.
3. On August 29, 2007, the Illinois Department of Financial and Professional Regulation ("IDFPR") initiated a regulatory action against Evans for violations of the Illinois Insurance Code.

4. On August 29, 2007, Evans agreed to a Stipulation and Consent Order that was accepted by IDFPR, Division of Insurance.
5. The IDFPR decision found:
 - a. Evans was an Investment Adviser Representative for Eagle and a Registered Representative for New York Life.
 - b. On October 23, 2006, Evans solicited an Illinois consumer to purchase two (2) deferred fixed annuity products from New York Life Insurance and Annuity Corporation.
 - c. On October 23, 2006, the Illinois consumer purchased two New York Life annuities from Evans.
 - d. The Illinois consumer's children were designated as the annuitants on each of the two annuities purchased from Evans.
 - e. Evans admitted that he forged the signatures of the children's names, as annuitants, on the two annuities applications.
 - f. By virtue of the foregoing, Evans violated Section 5/500-70(A)(10) of the Illinois Insurance Code.¹
3. Section 8.E(1)(n) of the Act provides, inter alia, that the registration of an investment advisor representative and salesperson may be revoked if the Secretary of State finds that such investment advisor representative and salesperson has had, after notice and opportunity for hearing, any order entered against it by any state or federal body, agency or commission regulating banking, insurance or finance, if the action resulted from any act found by the body, agency, or commission to be a fraudulent or deceptive act of practice in violation of any statute, rule or regulation administered or promulgated by the body, agency or commission.
4. The Illinois Department of Financial and Professional Regulation is a State entity regulating insurance as specified in Section 8.E(1)(n) of the Act.
5. By virtue of the foregoing, Evans' registration as a salesperson and as an investment advisor representative in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(n) of the Act.

¹ 215 ILCS 5/500-70. License denial, nonrenewal, or revocation.

(a) The director may place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with this Section or take any combination of actions, for. . . (10) forging a name to an application for insurance or document related to an insurance transaction.

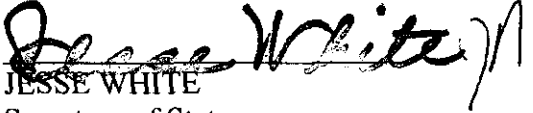
You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 Ill. Adm. Code 130) (the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to do so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A copy of the Rules under the Act pertaining to Hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice.

Delivery of notice to the designated representative of any Respondent constitutes service upon such Respondent.

DATED: This 21st day of October 2008.


JESSE WHITE
Secretary of State
State of Illinois

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Hearing Officer:
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