

BEFORE THE
DIVISION OF SECURITIES
DEPARTMENT OF FINANCIAL INSTITUTIONS
STATE OF WISCONSIN

In the Matter of
KEVIN D. WELLS

PETITION FOR ORDER

Respondent.

File No.S-04260-LX

The staffs of the Licensing & Compliance Section and the Enforcement Unit, Registration & Enforcement Section, of the Division of Securities, Department of Financial Institutions, State of Wisconsin have conducted an investigation in this matter pursuant to sec. 551.56, Wis. Stats., and as a result thereof allege as follows:

1. Kevin D. Wells (“Wells”) is a securities agent (CRD #4180930) with a last known business address at 535 Broad Hollow Road, Suite B-51, Melville, New York 11747 and last known residential address at 78 Whalers Cove, Babylon Village, New York 11702;

2. Benson York Group, Inc. (“Benson York”) is a securities broker-dealer (CRD #40231) licensed in Wisconsin since April 23, 1997 with a last known business address at 535 Broad Hollow Road, Suite B-51, Melville, New York 11747;

3. John J. Conroy (“Conroy”) is the president of Benson York;

4. On July 27, 2004, Wells applied through the CRD to become licensed as a securities agent in Wisconsin for Benson York;

5. By letter dated July 28, 2004, the staff sent a letter to Conroy at Benson York with a copy to Wells requesting additional information regarding Wells’ disclosure history. The response date was August 18, 2004. No response was received to this request for information;

6. On August 25, 2004, the staff sent another letter to Conroy at Benson York with a copy to Wells again requesting additional information regarding Wells’ disclosure history. The response deadline was September 15, 2004. No response was received to this second request for information;

7. On October 13, 2004, the staff sent a letter by certified mail to Conroy at Benson York with a copy to Wells advising the firm to withdraw Wells’ application by November 3, 2004 for failure to respond to the staff’s requests for information;

8. To date the staff has not received any information from Conroy, Benson York or Wells nor has Wells’ application been withdrawn;

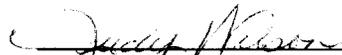
9. Wells’ failure to complete his application, as described above, provides a basis, pursuant to sec. 551.34(1)(a), Wis. Stats., for the denial of his application.

THEREFORE, the staffs of the Licensing & Compliance Section and the Enforcement Unit petition the Administrator for the issuance of the attached Order.

DATED this 11th day of November, 2004



David A. Cohen
Supervising Attorney
Enforcement Unit



Judy Wilson
Examiner
Licensing & Compliance Section