

EXHIBIT #5

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

In the Matter of
TIMOTHY P. BARRY

ORDER OF CENSURE
(CONSENT)

Respondent.

File No. S-08045 (LX)

Based upon the attached Petition for Order and Waiver and Consent to Order I find that this action is necessary and appropriate in the public interest and for the protection of investors;

Therefore, pursuant to secs. 551.34 and 551.63, Wis. Stats.,

IT IS ORDERED THAT:

Timothy P. Barry is hereby censured for compensating a customer without authority from Mr. Barry's member firm as prescribed by DFI-Sec. 4.06(2)(i), Wis. Adm. Code and sec. 551.34(1)(g), Wis. Stats.

EXECUTED at Madison, Wisconsin this 10th day of April, 2008.

(SEAL)



Patricia D. Struck
Administrator
Division of Securities

NOTICE:

You are advised that any willful violation of an Order issued by the Administrator of the Division of Securities of the State of Wisconsin Department of Financial Institutions under Ch. 551, Wis. Stats., is a criminal offense punishable under the provisions of sec. 551.58, Wis. Stats.

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

In the Matter of
TIMOTHY P. BARRY

PETITION FOR ORDER

Respondent.

File No. S-08045(LX)

The staffs of the Bureau of Licensing & Compliance and the Bureau of Registration & Enforcement, 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. Timothy P. Barry ("Barry") is a licensed securities agent (CRD #2267209) with a last known business address at 648 White Birch Ct. Appleton, WI 54915;
2. At all times material hereto, Barry is employed as a securities agent with Packerland Brokerage Services at its branch office in Appleton, WI;
3. On at least one occasion, Barry compensated a customer for losses incurred without having first obtained written authorization from Mr. Barry's member firm;
4. Barry's actions, as described above, are deemed to be "dishonest or unethical business practices" or "taking unfair advantage of a customer" and provide a basis, pursuant to DFI-Sec. 4.06(2)(i), Wis. Adm. Code and §551.34(1)(g), Wis. Stats., for the censure of a licensee.

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

DATED this 14th day of April, 2008.


Mark C. Eisenmann
Examiner
Bureau of Licensing & Compliance


Leslie Van Buskirk
Supervising Attorney
Bureau of Registration & Enforcement

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

In the Matter of
TIMOTHY P. BARRY

WAIVER AND CONSENT
TO ORDER

Respondent.

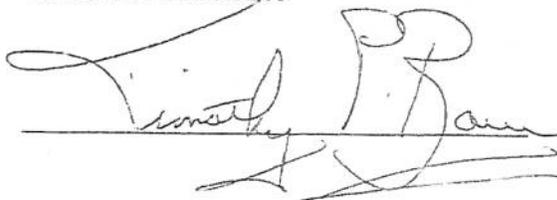
File No. S-08054⁴⁵(LX)
NCE

The undersigned Respondent, having decided not to contest the issuance of the attached Order, hereby waives its right to a hearing with respect to this matter and hereby consents to the issuance of the Order;

The undersigned Respondent understands that the Order is effective when signed by the Administrator of the Division of Securities and that a willful violation of an Order signed by the Administrator is a criminal offense.

EXECUTED this 8th day of April, 2008.

TIMOTHY P. BARRY



State of WI
County of Broward

Subscribed before me this
8th day of April, 2008.

Beth Bray
Notary Public

My commission expires 8/01/2010

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STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES