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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION**

IN THE MATTER OF DETERMINING
Whether there has been a violation
of the Securities Act of Washington by:

S-02-249-03-CO01

CONSENT ORDER

Herbert Sweeting; Aspen Fiduciary Fund;
Winners & Co.; Focas'l Enterprize Trust;

Respondents.

Pursuant to the Securities Act of Washington, RCW 21.20, the Securities Division of the Department of Financial Institutions (“Securities Division”) and Respondents, Herbert Sweeting; Aspen Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust, do hereby enter into this CONSENT ORDER in settlement of the matters alleged herein. Respondent neither admits nor denies the Tentative Findings of Fact or Conclusions of Law as set forth in Summary Order to Cease and Desist, Notice of Intent to Suspend or Revoke Securities Salesperson Registration, and Notice of Intent To Impose Fines S-02-249-03TO01 and which are incorporated by reference into this Consent Order.

CONSENT ORDER

Based upon the foregoing:

IT IS AGREED AND ORDERED that Respondents, Herbert Sweeting; Aspen Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust, their agents and employees each shall cease and desist from offering or selling securities in violations of RCW 21.20.140, the securities registration section of the Securities Act of Washington.

CONSENT ORDER

1

**DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760**

1 IT IS FURTHER AGREED AND ORDERED that Respondents, Herbert Sweeting; Aspen
2 Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust, their agents and employees each shall cease
3 and desist from acting as an unregistered securities broker-dealer or salesperson in violation of RCW
4 21.20.040, the broker-dealer and securities salesperson registration section of the Securities Act of
5 Washington.

6 IT IS FURTHER AGREED AND ORDERED that Respondents, Herbert Sweeting; Aspen
7 Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust, their agents and employees each shall cease and
8 desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act of Washington.

9 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Order.

10 IT IS FURTHER AGREED that in consideration of the foregoing Respondents Herbert Sweeting;
11 Aspen Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust, each waive their rights to a hearing in
12 this matter and judicial review of this order.
13

14 IT IS FURTHER AGREED AND ORDERED that Respondents Herbert Sweeting; Aspen
15 Fiduciary Fund; Winners & Co.; Focas'l Enterprize Trust shall pay, jointly and severally, the Division a
16 fine of \$25,000. Respondents shall \$5,000 on or before the date of entry of this consent order. The
17 remainder of the fine, \$20,000, shall be suspended contingent upon future compliance with this Consent
18 Order. In the event that Herbert Sweeting; Aspen Fiduciary Fund; Winners & Co.; or Focas'l Enterprize
19 Trust violates this Consent Order, the Securities Division will seek enforcement of the Consent Order
20 pursuant to RCW 21.20.395.
21
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23

SIGNED this 11th day of August, 2003.

Approved for entry by:

Signed// Alexander Gambrel

Alexander Gambrel
WSBA 24018
Attorney for Herbert Sweeting; Aspen Fiduciary Fund;
Winners & Co.; and Focas'l Enterprize Trust

Signed by:

Aspen Fiduciary Fund

Signed// Herbert Sweeting
By Herbert Sweeting, Principal

Focas'l Enterprize Trust

Signed //Herbert Sweeting
By Herbert Sweeting, Managing Director

Winners & Co.

Signed// Herbert Sweeting
By Herbert Sweeting, Principal

Signed by:

Signed//Herbert Sweeting
Herbert Sweeting, individually

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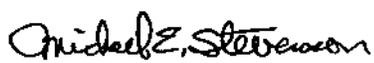
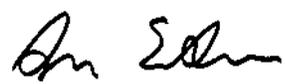
SIGNED and ENTERED this 25 day of August, 2003



Deborah R. Bortner
Securities Administrator

Approved by:

Presented by:



Michael E. Stevenson
Chief of Enforcement

Suzanne Sarason
Senior Financial Legal Examiner