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:
Mulligan Capital, Inc.;
Mulligan Capital Management, LLC;
Mulligan Partners, ERISA, LP;
John Mulligan

Respondents.

On January 30, 2012, the Securities Administrator of the State of Washington issued Statement of Charges and Notice of Intent to Enter Order to Cease and Desist, to Charge Costs, and to Impose Fines (“Statement of Charges”) S-11-0770-12-SC01 against Mulligan Capital, Inc., Mulligan Capital Management, LLC, Mulligan Partners, ERISA, LP, and John Mulligan (hereafter, “Respondents”). The Securities Division, Department of Financial Institutions, State of Washington, and Respondents do hereby agree to this CONSENT ORDER in settlement of the above-captioned matter. The Securities Division has, in Statement of Charges S-11-0770-11-SC01, made certain allegations and conclusions, set forth under the headings “Tentative Findings of Fact,” and “Conclusions of Law.” Respondents each neither admit nor deny the “Tentative Findings of Fact” and “Conclusions of Law” which are hereby incorporated by reference into this CONSENT ORDER.

CONSENT ORDER

Based upon the foregoing and finding it in the public interest:

IT IS AGREED AND ORDERED that Mulligan Capital, Inc. and its agents and employees each shall cease and desist from violating RCW 21.20.040 and 21.20.350.

IT IS FURTHER AGREED AND ORDERED that Mulligan Capital Management, LLC and its agents and employees each shall cease and desist from violating RCW 21.20.030 and 21.20.350.
IT IS FURTHER AGREED AND ORDERED that Mulligan Partners ERISA, LP and its agents and employees each shall cease and desist from violating RCW 21.20.010 and 21.20.140.

IT IS FURTHER AGREED AND ORDERED that John Mulligan and his agents and employees each shall cease and desist from violating RCW 21.20.010, 21.20.040, and 21.20.140.

IT IS FURTHER AGREED AND ORDERED that Mulligan Capital, Inc., Mulligan Capital Management, LLC, and Mulligan Partners, ERISA, LP shall pay investigative costs of $25,000 prior to entry of this Consent Order.


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

IT IS FURTHER AGREED that Respondents, Mulligan Capital, Inc., Mulligan Capital Management, LLC, Mulligan Partners, ERISA, LP, and John Mulligan, enter into this Consent Order freely and voluntarily and with a full understanding of its terms and significance.

IT IS FURTHER AGREED that in consideration of the foregoing, Respondents, Mulligan Capital, Inc., Mulligan Capital Management, LLC, Mulligan Partners, ERISA, LP, and John Mulligan, each waive their rights to a hearing and judicial review of this matter pursuant to RCW 21.20.440 and Chapter 34.05 RCW.

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.
Signed this 9th day of __________ October __________ 2013.

Signed by:
Mulligan Capital, Inc.
By: __/s/ John J. Mulligan________________
Title: ______________ President

Signed by:
Mulligan Capital Management, LLC
By: __/s/ John J. Mulligan____________
Title: __________ General Partner

Signed by:
Mulligan Partners, ERISA, LP
By: __/s/ John J. Mulligan____________
Title: __________ Managing Member

Signed by:
_________________________
John Mulligan, individually

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SIGNED and ENTERED this 14th day of October 2013.

William M. Beatty
Securities Administrator

Approved by:

Presented by:

Suzanne Sarason
Chief of Enforcement

Edward R. Thunen
Enforcement Attorney

Reviewed by:

Robert Kondrat
Financial Legal Examiner Supervisor