CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Bureau of Securities Compliance and Examinations ("Bureau"), has conducted an investigation of the business practices of Blue Water Financial, LLC ("Blue Water") and its officers and employees. Based on the results of its investigation, the Bureau has concluded that Blue Water has operated in violation of the Pennsylvania Securities Act of 1972, 70 P.S. § 1-101 et seq. ("1972 Act"). Blue Water, in lieu of litigation, and without admitting or denying the allegations herein, and intending to be legally bound, hereby agrees to the terms of this Consent Agreement and Order ("Order").

BACKGROUND

1. The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the 1972 Act.

2. The Bureau is primarily responsible for administering and enforcing the 1972 Act for the Department.
Blue Water (CRD # 171285) was, at all times material hereina, a New Jersey limited liability company with an address at 11 Mountain Blvd, Suite 201, Warren, New Jersey 07059.

From or about August 2018 until the present, Blue Water has been registered in Pennsylvania pursuant to Section 301(c) of the 1972 Act, 70 P.S. § 1-301(c), as an investment adviser.

From or about February 2016 until July 2018, Blue Water transacted business in Pennsylvania as an investment adviser while neither registered nor exempt from registration.

VIOLATION

By engaging in the acts and conduct set forth in paragraphs 5 above, Blue Water transacted business as an investment adviser in violation of Section 301(c) of the 1972 Act, 70 P.S. § 1-301(c).

RELIEF

Blue Water shall pay the Department an administrative assessment in the amount of $40,000. Payment shall be made by certified check or money order made payable to the “Department of Banking and Securities” and shall be mailed or delivered in person to the Bureau of Securities Compliance and Examinations located at 17 N. Second Street, Suite 1300, Harrisburg, Pennsylvania 17101. The administrative assessment shall be paid as follows.

a $1,667 within 30 days of the Effective Date of this Order, as defined in paragraph 15

b $1,667 shall be paid thereafter in 22 consecutive monthly payments of $1,667 due on or before the 1st day of each month, beginning on January 1, 2021, and ending on or before October 1, 2022.
c. A final payment in the amount of $1,659 shall be due on or before November 1, 2022.

8. Blue Water is ORDERED to comply with the 1972 Act, and Regulations adopted by the Department, and in particular Section 301(c) of the 1972 Act, 70 P.S. § 1-301(c).

9. Should Blue Water fail to pay the assessment as set forth in paragraph 7 above, the sanctions set forth elsewhere in the Order shall continue in full force and effect until full payment is made. However, this provision shall not be construed as affording Blue Water the option of either paying the assessment or being indefinitely subject to the sanctions.

10. Should Blue Water fail to comply with any and/or all provisions of this Order, the Department may impose additional sanctions and costs and seek other appropriate relief subject to Blue Water’s right to a hearing pursuant to the 1972 Act.

FURTHER PROVISIONS

11. Consent. Blue Water hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau’s authority under the 1972 Act and agrees that it understands all of the terms and conditions contained herein. Blue Water, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions, and/or penalties set forth in this Order.

12. Entire Agreement. This Order contains the entire agreement between the Department and Blue Water. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Department and Blue Water.
13 **Binding Nature.** The Department, Blue Water, and all officers, owners, directors, employees, heirs and assigns of Blue Water intend to be and are legally bound by the terms of this Order.

14 **Counsel.** This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

15. **Effectiveness.** Blue Water hereby stipulates and agrees that the Order shall become effective on the date the Bureau executes the Order ("Effective Date").

16. **Other Enforcement Action.**
   
   (a) The Department reserves all of its rights, duties, and authority to enforce all statutes, rules, and regulations under its jurisdiction against Blue Water in the future regarding all matters not resolved by this Order.
   
   (b) Blue Water acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department, or office regarding matters within this Order.

17. **Authorization.** The parties below are authorized to execute this Order and legally bind their respective parties.

18. **Counterparts.** This Order may be executed in separate counterparts, by facsimile and/or by PDF.

19. **Titles.** The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

20. **Finding.** The Department finds that it is necessary and appropriate in the public interest and for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the 1972 Act to issue this Order.
WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Commonwealth of Pennsylvania, Department of Banking and Securities, Bureau of Securities Compliance and Examination and Blue Water Financial, LLC, intending to be legally bound, do hereby execute this Consent Agreement and Order.

FOR THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES
BUREAU OF SECURITIES COMPLIANCE AND EXAMINATIONS

Redacted

Wendy Speicher, Deputy Secretary for Securities

Date: 9/28/2020

FOR BLUE WATER FINANCIAL, LLC

Redacted

(Signature)

JASON M. LEVINS
(Print Officer Name)

Date: 9.25.2020