

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Acting Deputy Commissioner
3 JENNIFER A. GRANAT (CA BAR NO. 199868)
Corporations Counsel
4 DEPARTMENT OF CORPORATIONS
320 West 4th Street, Suite 750
5 Los Angeles, California 90013-1105
Telephone: (213) 576-7518
6 Facsimile: (213) 576-7181

7 Attorneys for Complainant

8
9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

11 In the Matter of the Accusation of THE) Agency Case No.: 913-2653
12 CALIFORNIA CORPORATIONS)
COMMISSIONER,) ORDER SUMMARILY REVOKING
13) BROKER-DEALER CERTIFICATE
Complainant,) PURSUANT TO CORPORATIONS CODE
14) SECTION 25242(b)
15 v.)
16 ASHTON CAPITAL MANAGEMENT, INC.,)
17 Respondent.)
18 _____)

19 Preston DuFauchard, California Corporations Commissioner (“Commissioner”) of the
20 Department of Corporations (“Department”) finds:

21 1. Ashton Capital Management, Inc. (“Ashton Capital”), a California corporation, is a
22 broker-dealer (No. 26502) with a registered business address of 7966 Arjons Drive, Suite 102, San
23 Diego, California 92126. Kathleen Shave is the owner, president and registered agent for Ashton
24 Capital.

25 2. Beginning in or about July 2008, the Department has been unable to locate Ashton
26 Capital, Ms. Shave and/or any other control person for Ashton Capital. Attempts to contact Ashton
27 Capital at its registered address have been unsuccessful. Attempts to contact Ashton Capital by
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1 contacting Ms. Shave at her home address have been unsuccessful. Telephone calls to Ashton
2 Capital and Ms. Shave have gone unreturned.

3 3. Ashton Capital’s broker-dealer representatives have likewise been unable to locate
4 Ashton Capital or Ms. Shave. As a result, these representatives are unable to transact business for
5 clients of Ashton Capital.

6 4. California Corporations Code section 25242(b) provides:

7 If the commissioner finds that any broker-dealer or investment
8 adviser is no longer in existence, or has ceased to do business as a
9 broker-dealer or investment adviser, . . . or cannot be located after
10 reasonable search, the commissioner may by order summarily revoke
the certificate of that broker-dealer or investment adviser.

11 5. In light of the foregoing, the Commissioner finds that Ashton Capital has ceased to do
12 business as a broker-dealer and cannot be located after reasonable search.

13 NOW, THEREFORE, GOOD CAUSE APPEARING, it is hereby ORDERED pursuant to
14 California Corporations Code section 25242(b) that the broker-dealer certificate of Ashton Capital
15 Management, Inc. is hereby revoked. This revocation precludes Ashton Capital from engaging in
16 normal broker-dealer activities that solicit or facilitate new business, including for existing clients.
17 However, Ashton Capital may engage in only those activities necessary to the winding down of the
18 business prior to filing its BD-W such as liquidating transactions, transferring accounts, forwarding
19 any checks received to the clearing firm, National Financial Services, responding to regulatory
20 inquiries, filing U-5s for registered representatives, and otherwise fielding client/customer phone
21 calls for account servicing or document requests, among other things.

23 Dated: October 7, 2008
24 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

26 By _____
27 ALAN S. WEINGER
28 Acting Deputy Commissioner
Enforcement Division