

ALS

ADMINISTRATIVE PROCEEDING
FILE NO. 3-11692

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
March 31, 2005

SECURITIES & EXCHANGE COMMISSION
MAILED FOR SERVICE
MAR 31 2005
FISCHLER

In the Matter of :
:
RAYMOND JAMES FINANCIAL : POSTHEARING ORDERS
SERVICES, INC., :
J. STEPHEN PUTNAM, and :
DAVID LEE ULLOM :

The public hearing in this proceeding ordered by the Securities and Exchange Commission (Commission) concluded on February 24, 2005. I issued an order on March 9, 2005, on two matters that remained unresolved at the close of the hearing. Since March 9, the following matters have arisen: (1) Raymond James Financial Services, Inc.'s (Raymond James) filed a Motion to Admit Relevant Portions of the Prior Sworn Statements of Martin Fife (Fife Motion); (2) Raymond James's Motion to Correct Transcript (Motion to Correct Transcript); and (3) J. Stephen Putnam's (Putnam) Motion to Admit Division of Enforcement (Division) Exhibit 181 into the record (Putnam's Motion).

1. Fife Motion

In the March 9, 2005, order, I allowed into evidence, pursuant to Rule 235 of the Commission's Rules of Practice, Division Exhibit 434 - Investigative Testimony of Martin D. Fife ("Fife"), January 14, 2002, page 57, line 25 through page 62, line 10; page 97, line 13 through page 100, line 17; and page 143, line 3 through page 147, line 23. 17 C.F.R. § 201.235. Fife is deceased. On March 18, 2005, Raymond James moved to admit additional portions of Division Exhibit 434 "in the interest of fairness and completeness":

- Page 204, lines 7 through 16;
- Page 224, lines 18 through 25;
- Page 248, lines 15 through 17 and 24 through 25;
- Page 249, lines 1 through 10;
- Page 283, lines 20 through 25; and
- Page 284, lines 1 through 20.

No party opposed Raymond James's request.

2. Motion to Correct Transcript

On March 18, 2005, Raymond James filed a Motion to Correct Transcript, pursuant to Rule 302(c) of the Commission's Rules of Practice. 17 C.F.R. § 201.302(c). No party has opposed making the transcript corrections that Raymond James proposes.

3. Putnam's Motion

Division Exhibit 182, Final Judgment as to Relief Defendant David Lee Ullom (Final Judgment), SEC v. Herula, Civil Action No. CA 02-154 (D.R.I.) (Dec. 12, 2004), is in evidence. The Final Judgment incorporates David Lee Ullom's consent, which, among other things, does not permit him to deny the Commission's allegations publicly. (Tr. 1540.) Putnam's Motion requests the admission of Division Exhibit 181, Consent of Relief Defendant David Lee Ullom, SEC v. Herula, Civil Action No. CA 02-154 (D.R.I.) (Nov. 1, 2004). The Division and Raymond James assent to Putnam's Motion.

Ruling

I ORDER that the following additional portions of Division Exhibit 434 are admitted into evidence:

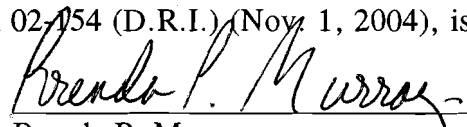
- Page 204, lines 7 through 16;
- Page 224, lines 18 through 25;
- Page 248, lines 15 through 17 and 24 through 25; and
- Page 249, lines 1 through 10
- Page 283, lines 20 through 25; and
- Page 284, lines 1 through 20.

I FURTHER ORDER that the hearing transcript is modified as follows:

- Page 228, line 13 - "CA" should be "CPA" ;
- Page 708, line 4 - "2002" should be "2000" and lines 16-17, "Mary" should be "Larry";
- Page 897, line 18 - "Through" should be "From";
- Page 957, line 21 - "expect" should be "inspect";
- Page 1842, line 3 - "fixed income securities" should be "fixed income";
- Page 1844, line 18 - "off balance sheets" should be "off balance sheet partnerships";
- Page 1865, line 6 - "he filled" should be "he built" and line 10 - "Herula as" should be "Herula's";
- Page 1872, line 13 - "CFO" should be "CEO";
- Page 2300, line 11 - "matters or" should be "matters for";
- Page 2359, line 21 - "steps in control" should be "steps of control";
- Page 2364, lines 11 & 12 - "large sweep report" should be "large firm sweep report";
- Page 2366, line 13 - "assigned undertaking" should be "a signed undertaking";
- Page 2383, line 20 - "review highlight" should be "review highlighted" and line 24 "first audit of" should be "first audit or";
- Page 2399, line 1 "dispense" should be "suspense";
- Page 2429, line 3 - "complained" should be "complaint";

Page 2436, line 3 – should indicate that it is the Witness’s response;
Page 2508, line 5 and Page 2511, line 3 – “manager” should be “management”;
Page 2636, line 13 – “compliance sales management” should be “compliance, sales management”;
Page 2679, lines 22 & 25 – “her” should be “our”;
Page 2697, line 4 – “doctorate” should be “doctor” and line 10 – “724” should be “7, 24”;
Page 2723, line 12 – “Thom” should be “Tom”;
Page 2732, line 7 – “note” should be “no”;
Page 2739, line 13 – “discussed” should be “dismissed”;
Page 2755, line 9 – “letter designated” should be “registration designated”;
Page 2761, line 24 - “ABP” should be “AVP”;
Page 2767, line 17 – “no” should be “not”;
Page 2789, line 13 – “regulations” should be “regulations by number”;
Page 2940, lines 20-24 – replace “one area of responsibility that was really two people has just shifted to another area, so that’s a net loss. It’s really an increase of two more, quite honestly,” with “one area of our responsibilities, that had two people assigned to it, has just shifted to another area, so that really indicates a net increase of compliance personnel of two more, quite honestly”;
Page 2944, line 1 – “records” should read “regards”;
Page 2945, line 1 - “objectioner” should be “organizations”;
Page 2959, line 1 - delete “made”;
Page 2974, line 19 – “only” should be “owning”;
Page 2992, line 7 – “would” should be “wouldn’t”;
Page 3014, line 14 – “Oxford” should be “Ausburg”;
Page 3080, line 1 – “with” should be “without”;
Page 3092, line 3 – “compliance’ should be “the company”;
Page 3115, lines 12 & 22 and Page 3118, lines 3 & 9 – “0477” should be “0471”;
Page 3168, line 22 – “Form BD” should be “Form BD if they were registered”;
Page 3390, line 10 – “very proponent” should be “very big proponent”;
Page 3391, line 5 – “failed” should be “filed”;
Page 3402, lines 11, 16, & 24, Page 3404, line 14, and Page 3405, line 24 – “OC” should be “OCIE”;
Page 3413, lines 12-13 – “reapply with communicating” should be “reapply without recommunicating”;
Page 3430, line 9 – “higher” should be “lower”;
Page 3433, line 15 - “our” should be “other”; and
Page 3438, line 23 – “consulting” should be “consultants.”

I FURTHER ORDER that Division Exhibit 181, Consent of Relief Defendant David Lee Ullom, SEC v. Herula, Civil Action No. CA 02-154 (D.R.I.) (Nov. 1, 2004), is admitted into evidence.


Brenda P. Murray
Chief Administrative Law Judge