

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 53627 / April 10, 2006**

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 2507 / April 10, 2006**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-12258**

**In the Matter of**  
  
**Brad A. Weaver,**  
  
**Respondent.**

**ORDER INSTITUTING**  
**ADMINISTRATIVE PROCEEDINGS**  
**PURSUANT TO SECTION 15(b) OF THE**  
**SECURITIES EXCHANGE ACT OF 1934**  
**AND SECTION 203(f) OF THE**  
**INVESTMENT ADVISERS ACT OF 1940,**  
**MAKING FINDINGS, AND IMPOSING**  
**REMEDIAL SANCTIONS**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Brad A. Weaver (“Respondent”).

## II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Section III.2 below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

## III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. Weaver, 34 years old, is a resident of Chicago, Illinois. Weaver formed and was associated with Beta Capital Advisors, LLC (“Beta Advisors”), an Illinois limited liability company. Beta Advisors was an unregistered investment adviser for Beta Capital Partners, L.P., an Illinois limited partnership. From June 1999 through April 15, 2003, Weaver was also a registered representative associated with a broker-dealer registered with the Commission.

2. On February 3, 2006, a final judgment was entered by consent against Weaver, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 (“Securities Act”), Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled Securities and Exchange Commission v. Brad A. Weaver, et al., Civil Action Number 04 C 8279, in the United States District Court for the Northern District of Illinois.

3. The Commission’s complaint alleged that beginning in at least March 2003, Weaver raised over \$10 million from investors by falsely representing that he could profitably trade in the “error accounts” of a broker-dealer, a trading strategy that does not exist. Weaver also falsely told investors that he had rolled over purported error account trading profits into Beta Advisors. According to the complaint, Weaver misused investor funds, sent out false statements indicating that investor funds had earned returns, and otherwise engaged in a variety of conduct which operated as a fraud and deceit on investors.

## IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent’s Offer.

Accordingly, it is hereby ORDERED:

Pursuant to Section 15(b)(6) of the Exchange Act and Section 203(f) of the Advisers Act, that Respondent Weaver be, and hereby is barred from association with any broker, dealer, or investment adviser.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

For the Commission, by its Secretary, pursuant to delegated authority.

Nancy M. Morris  
Secretary