

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

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 3913 / September 8, 2014**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-16058**

**In the Matter of**

**DOUGLAS E. COWGILL,**

**Respondent.**

**ORDER INSTITUTING  
ADMINISTRATIVE PROCEEDINGS  
PURSUANT TO 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 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Douglas E. Cowgill (“Cowgill” or “Respondent”).

**II.**

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (“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 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. Cowgill, age 58, is a resident of Columbus, Ohio. Since July 2013, Cowgill has been the sole owner and President of Professional Investment Management, Inc. ("PIM"), an Ohio-based investment adviser that was registered with the Commission from 1978 until September 30, 2013. He also has been PIM's Chief Compliance Officer since September 2004.

2. On August 21, 2014, a judgment was entered by consent against Cowgill, permanently restraining and enjoining him from violating and/or aiding and abetting violations of Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rule 10b-5 thereunder, Sections 203(a), 204(a), 206(1), (2), and (4), and 207 of the Advisers Act, and Rules 204-2, 206(4)-2, and 206(4)-7 thereunder, in the civil action entitled Securities and Exchange Commission v. Douglas E. Cowgill, et al., Case No. 2:14-CV-396, in the United States District Court for the Southern District of Ohio.

3. The Commission's First Amended Complaint alleged, among other things, that, since at least December 31, 2010, PIM reported in account statements sent to clients that clients held a total of approximately \$7.7 million in a money market fund when, in fact, the clients held a total of approximately \$6.9 million in the fund. The SEC further alleged that Cowgill attempted to disguise this shortfall from SEC examiners by entering a fake trade in PIM's account records, and that, to avoid detection, Cowgill provided additional falsified reports to SEC staff and moved money from a cash account holding client funds to the money market fund.

### 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 203(f) of the Advisers Act, that Respondent be, and hereby is, barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.

Any reapplication for association by 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 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.

By the Commission.

Jill M. Peterson  
Assistant Secretary