In the Matter of  
KEVIN D. WELLS  

PETITION FOR ORDER  
Respondent.  
File No.S-04260-LX  

BEFORE THE  
DIVISION OF SECURITIES  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
STATE OF WISCONSIN  

The staffs of the Licensing & Compliance Section and the Enforcement Unit, Registration & Enforcement Section, of the Division of Securities, Department of Financial Institutions, State of Wisconsin have conducted an investigation in this matter pursuant to sec. 551.56, Wis. Stats., and as a result thereof allege as follows:

1. Kevin D. Wells ("Wells") is a securities agent (CRD #4180930) with a last known business address at 535 Broad Hollow Road, Suite B-51, Melville, New York 11747 and last known residential address at 78 Whalers Cove, Babylon Village, New York 11702;

2. Benson York Group, Inc. ("Benson York") is a securities broker-dealer (CRD #40231) licensed in Wisconsin since April 23, 1997 with a last known business address at 535 Broad Hollow Road, Suite B-51, Melville, New York 11747;

3. John J. Conroy ("Conroy") is the president of Benson York;

4. On July 27, 2004, Wells applied through the CRD to become licensed as a securities agent in Wisconsin for Benson York;

5. By letter dated July 28, 2004, the staff sent a letter to Conroy at Benson York with a copy to Wells requesting additional information regarding Wells' disclosure history. The response date was August 18, 2004. No response was received to this request for information;

6. On August 25, 2004, the staff sent another letter to Conroy at Benson York with a copy to Wells again requesting additional information regarding Wells' disclosure history. The response deadline was September 15, 2004. No response was received to this second request for information;

7. On October 13, 2004, the staff sent a letter by certified mail to Conroy at Benson York with a copy to Wells advising the firm to withdraw Wells' application by November 3, 2004 for failure to respond to the staff's requests for information;

8. To date the staff has not received any information from Conroy, Benson York or Wells nor has Wells' application been withdrawn;

9. Wells' failure to complete his application, as described above, provides a basis, pursuant to sec. 551.34(1)(a), Wis. Stats., for the denial of his application.
THEREFORE, the staffs of the Licensing & Compliance Section and the Enforcement Unit petition the Administrator for the issuance of the attached Order.

DATED this ___th day of November, 2004

David A. Cohen
Supervising Attorney
Enforcement Unit

Judy Wilson
Examiner
Licensing & Compliance Section