



Investment Adviser Representative Public Disclosure Report

RICK LYNN CLATFELTER

CRD# 5608862

Report #33976-85977, data current as of Friday, May 6, 2016.

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IAPD Information about Investment Adviser Representatives

IAPD offers information on all current-and many former-Investment Adviser Representatives. Investors are strongly encouraged to use IAPD to check the background of Investment Adviser Representatives before deciding to conduct, or continue to conduct, business with them.

- **What is included in a IAPD report?**

IAPD reports for individual Investment Adviser Representatives include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards.

It is important to note that the information contained in an IAPD report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**

The information contained in IAPD comes from the Investment Adviser Registration Depository (IARD) and FINRA's Central Registration Depository, or CRD®, (see more on CRD below) and is a combination of:

- information the states require Investment Adviser Representatives and firms to submit as part of the registration and licensing process, and
- information that state regulators report regarding disciplinary actions or allegations against Investment Adviser Representatives.

- **How current is this information?**

Generally, Investment Adviser Representatives are required to update their professional and disciplinary information in IARD within 30 days.

- **Need help interpreting this report?**

For help understanding how to read this report, please consult NASAA's IAPD Tips page <http://www.nasaa.org/IAPD/IARReports.cfm>.

- **What if I want to check the background of an Individual Broker or Brokerage firm?**

To check the background of an Individual Broker or Brokerage firm, you can search for the firm or individual in IAPD. If your search is successful, click on the link provided to view the available licensing and registration information in FINRA's BrokerCheck website.

- **Are there other resources I can use to check the background of investment professionals?**

It is recommended that you learn as much as possible about an individual Investment Adviser Representative or Investment Adviser firm before deciding to work with them. Your state securities regulator can help you research individuals and certain firms doing business in your state. The contact information for state securities regulators can be found on the website of the North American Securities Administrators Association <http://www.nasaa.org>.



Investment Adviser Representative Report Summary

RICK LYNN CLATFELTER (CRD# 5608862)

The report summary provides an overview of the Investment Adviser Representative's professional background and conduct. The information contained in this report has been provided by the Investment Adviser Representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the Investment Adviser Representative, a previous employing firm, or a securities regulator on **01/29/2016**.

CURRENT EMPLOYERS

This individual is not currently registered as an Investment Adviser Representative.

QUALIFICATIONS

This individual is not currently registered as an Investment Adviser Representative.

Note: Not all jurisdictions require IAR registration or may have an exemption from registration. Additional information including this individual's qualification examinations and professional designations is available in the Detailed Report.

REGISTRATION HISTORY

This Investment Adviser Representative was previously registered with the following Investment Adviser firms:

FIRM (IARD#) - LOCATION	REGISTRATION DATES
HORTER INVESTMENT MANAGEMENT, LLC (IARD# 119880) - MESA, AZ	10/19/2011 - 12/22/2011
HORTER INVESTMENT MANAGEMENT, LLC (IARD# 119880) - CHANDLER, AZ	12/08/2009 - 07/08/2011
REDHAWK WEALTH ADVISORS, INC. (IARD# 146616) - CHANDLER, AZ	10/20/2008 - 11/02/2009

For additional registration and employment history details as reported by the individual, refer to the Registration and Employment History section of the Detailed Report.

DISCLOSURE INFORMATION

Disclosure events include certain criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens.

Are there events disclosed about this Investment Adviser Representative? **Yes**

The following types of events are disclosed about this Investment Adviser Representative:

Type	Count
Civil Event	1
Judgment/Lien	2



Investment Adviser Representative Qualifications

REGISTRATIONS

This section provides the states and U.S. territories in which the Investment Adviser Representative is currently registered and licensed, the category of each registration, and the date on which the registration became effective. This section also provides, for each firm with which the Investment Adviser Representative is currently employed, the address of each location where the Investment Adviser Representative works.

This individual is not currently registered as an Investment Adviser Representative.



Investment Adviser Representative Qualifications

PASSED INDUSTRY EXAMS

This section includes all required state securities exams that the Investment Adviser Representative has passed. Under limited circumstances, an Investment Adviser Representative may attain registration after receiving an exam waiver based on a combination of exams the Investment Adviser Representative has passed and qualifying work experience. Likewise, a new exam requirement may be grandfathered based on an Investment Adviser Representative's specific qualifying work experience. Exam waivers and grandfathering are not included below.

This individual has passed the following exams:

Exam	Category	Date
Uniform Investment Adviser Law Examination (S65)	Series 65	10/15/2008

PROFESSIONAL DESIGNATIONS

This section details that the Investment Adviser Representative has reported **0** professional designation(s).

No information reported.



Investment Adviser Representative Registration and Employment History

PREVIOUSLY REGISTERED WITH THE FOLLOWING INVESTMENT ADVISER FIRMS

This section indicates that state registration records show this Investment Adviser Representative previously held registrations with the following firms:

Registration Dates	Firm Name	IARD#	Branch Location
10/19/2011 - 12/22/2011	HORTER INVESTMENT MANAGEMENT, LLC	119880	MESA, AZ
12/08/2009 - 07/08/2011	HORTER INVESTMENT MANAGEMENT, LLC	119880	CHANDLER, AZ
10/20/2008 - 11/02/2009	REDHAWK WEALTH ADVISORS, INC.	146616	CHANDLER, AZ

EMPLOYMENT HISTORY

Below is the Investment Adviser Representative's employment history for up to the last 10 years.

Please note that the Investment Adviser Representative is required to provide this information only while registered and the information is not updated after the Investment Adviser Representative ceases to be registered, with a state regulator. Therefore, an employment end date of "Present" may not reflect the Investment Adviser Representative's current employment status.

Employment Dates	Employer Name	Employer Location
09/2011 - Present	HORTER INVESTMENT MANAGEMENT	MESA, AZ
08/2008 - Present	PS&G FINANCIAL LLC	CHANDLER, AZ
03/2001 - Present	AMERICAN BENEFITS GROUP	QUEEN CREEK, AZ
11/2009 - 07/2011	HORTER INVESTMENT MANAGEMENT, LLC	CINCINNATI, OH

OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the Investment Adviser Representative regarding other business activities the Investment Adviser Representative is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent, or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.

PRESIDENT OF AMERICAN BENEFITS GROUP, 3115 S. PRICE RD., CHANDLER, AZ 85248. THIS IS NOT INVESTMENT RELATED AND WAS STARTED IN 2005. 10 HOURS OR LESS PER MONTH (AND DURING TRADING HOURS) DEVOTED TO BUSINESS. I CONSULT WITH EMPLOYEES OF FEDERAL GOVERNMENT ON RETIREMENT PLANNING-IRS CONVERSIONS AND 1. 401(K) ROLLOVERS-LIFE INSURANCE AND ANNUITIES AND LTC.

2. PRESIDENT OF PS&G FINANCIAL, LLC., 3115 S. PRICE RD., CHANDLER, AZ 85248, SINCE 7/28/2008. BUSINESS IS INVESTMENT RELATED AND LESS THAN 80 HOURS PER MONTH (AND DURING TRADING HOURS) ARE DEVOTED TO THIS BUSINESS. I DEAL WITH FINANCIAL PLANNING, ASSETS UNDER MANAGEMENT, RETIREMENT PLANNING-IRS CONVERSIONS AND 401(K) ROLLOVERS-LIFE INSURANCE AND ANNUITIES AND LTC.



Investment Adviser Representative Disclosure Summary

Disclosure Information

What you should know about reported disclosure events:

(1) Certain thresholds must be met before an event is reported to IARD, for example:

- A law enforcement agency must file formal charges before an Investment Adviser Representative is required to report a particular criminal event.;
- A customer dispute must involve allegations that an Investment Adviser Representative engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.

(2) Disclosure events in IAPD reports come from different sources:

As mentioned in the "About IAPD" section on page 1 of this report, information contained in IAPD comes from Investment Adviser Representatives, firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the IAPD report. The different versions will be separated by a solid line with the reporting source labeled.

(3) There are different statuses and dispositions for disclosure events:

- A disclosure event may have a status of *pending*, *on appeal*, or *final*.
 - A "pending" disclosure event involves allegations that have not been proven or formally adjudicated.
 - A disclosure event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
 - A "final" disclosure event has been concluded and its resolution is not subject to change.
- A final disclosure event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
 - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
 - A "settled" matter generally represents a disposition wherein the parties involved in a dispute reach an agreement to resolve the matter. Please note that Investment Adviser Representatives and firms may choose to settle customer disputes or regulatory matters for business or other reasons.
 - A "resolved" matter usually includes a disposition wherein no payment is made to the customer or there is no finding of wrongdoing on the part of the Investment Adviser Representative. Such matters generally involve customer disputes.

(4) You may wish to contact the Investment Adviser Representatives to obtain further information regarding any of the disclosure events contained in this IAPD report.



DISCLOSURE EVENT DETAILS

When evaluating this information, please keep in mind that some items may involve pending actions or allegations that may be contested and have not been resolved or proven. The event may, in the end, be withdrawn, dismissed, resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to the Investment Adviser Registration Depository. Some of the specific data fields contained in the report may be blank if the information was not provided.

The following types of events are disclosed about this Investment Adviser Representative:

Type	Count
Civil Event	1
Judgment/Lien	2

Civil Event

This disclosure event involves an injunction issued by a foreign or domestic court in connection with investment-related activity, a finding by a domestic or foreign court of a violation of any investment-related statute or regulation, or an action dismissed by a domestic or foreign court pursuant to a settlement agreement.

Disclosure 1 of 1

Reporting Source:	Regulator
Initiated By:	UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Relief Sought:	Civil and Administrative Penalty(ies)/Fine(s) Disgorgement Injunction Monetary Penalty other than Fines Other: Asset freeze; Appointment of receiver
Date Court Action Filed:	01/19/2016
Product Type:	Other: Notes & Investment Contracts
Type of Court:	Federal Court
Name of Court:	U.S. District Court for the District of Utah
Location of Court:	Utah
Docket/Case #:	16-cv-00040
Employing firm when activity occurred which led to the action:	Marquis Properties, LLC
Allegations:	SEC Litigation Release 23451/January 21, 2016: According to the SEC's complaint, from March 2010, a company, through Rick Clatfelter and another individual, orchestrated a scheme to defraud unwitting investors by inducing them to invest in notes and investment contracts collateralized by real estate. The company represented that it would use investor funds to purchase real properties and that investors would receive guaranteed profits and return of principal upon sale of the properties. The company represented that investments were safe and low risk because the notes and investment contracts were 100% collateralized by valuable real property. The company failed to purchase properties with investor funds, however, and properties offered as collateral were often not owned by the company, were substantially encumbered, or were in uninhabitable or blighted condition. Rather than using investor funds as represented, the company used



investor funds to pay returns to earlier investors, in a classic Ponzi scheme. The company could not have paid returns to earlier investors without the influx of new investor money. The SEC's complaint charges Clatfelter with violations of Sections 5(a), 5(c), 17(a)(1), 17(a)(2) and 17(a)(3) of the Securities Act of 1933 and Section 10(b) and 15(a) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.

Current Status:

Pending

Limitations or Restrictions in Effect During Appeal:

n/a

**Judgment/Lien**

This disclosure event involves an unsatisfied and outstanding judgment or lien against the Investment Adviser Representative.

Disclosure 1 of 2

Reporting Source: Individual
Judgment/Lien Holder: DAVID A. KILPATRICK
Judgment/Lien Amount: \$31,267.18
Judgment/Lien Type: Civil
Date Filed: 09/16/2010
Type of Court: State Court
Name of Court: SUPERIOR COURT OF STATE OF ARIZONA
Location of Court: PHOENIX MARICOPA COUNTY
Docket/Case #: CV2008-008111
Judgment/Lien Outstanding? Yes
Broker Statement THIS WAS A CIVIL DISPUTE BETWEEN BUSINESS PARTNERS UPON CLOSING OF BUSINESS IN 2005. FORMER PARTNER SUED ME FOR DAMAGES AND WON 2 OUT OF 5 COUNTS.

Disclosure 2 of 2

Reporting Source: Individual
Judgment/Lien Holder: ARIZONA FEDERAL CREDIT UNION
Judgment/Lien Amount: \$8,804.20
Judgment/Lien Type: Civil
Date Filed: 03/29/2010
Type of Court: State Court
Name of Court: JUSTICE COURT OF STATE OF ARIZONA
Location of Court: PHOENIX MARICOPA COUNTY
Docket/Case #: CC 2010-047380
Judgment/Lien Outstanding? Yes
Broker Statement IN THE CREDIT CRUNCH ARIZONA FEDERAL CUT OFF MY CREDIT LINE AND WHEN I FELL BEHIND ON MY TRUCK THEY REPOSSESSED AND SOLD IT FOR LESS THAN MARKET VALUE.



End of Report

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