ADMINISTRl\TIVE PROCEEDING BEFORE THE
SECURITIES COMMISSIONER OF SOUTH CAROLINA

IN THE MATTER OF:
Charles L. Smith, and
Benchmark Capital Investment, LLC,

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CONSENT ORDER

File No. 12009

WHEREAS, the Securities Division of the Office of the Attorney General of the State of South Carolina (the "Division"), pursuant to authority granted in the South Carolina Uniform Securities Act of 2005 (the "Act"), S.C. Code Ann.§§ 35-1-101 to 35-1-703 (Supp. 2012), received information regarding alleged activities of Charles L. Smith ("Smith") and Benchmark Capital Investment, LLC ("Bcnchi:rn:rrk" or, co!lective!y,"Respondents") which, if true, could constitute violations of the Act; and
WHEREAS, the information led the Division to open and conduct an investigation of Respondents pursuant to S.C. Code Ann. § 35-l-602; and
WHEREAS, in connection with the investigation, the Division determined that evidence

the Division issued an Order to Cease and Desist ("Cease and Desist Order") against Respondents for these alleged violations; and
WHEREAS, Respondents wish to resolve the Cease and Desist Order against them by Consent Order rather than by a formal hearing before the Securities Commissioner (the ''(~ommissioner"); and

WHEREAS, Respondents agree to the investor protections and remedies set forth below, without admitting or denying the allegations of the Cease and Desist Order filed by the Division in this matter;
NOW, THEREFORE, IT IS HEREBY ORDERED, and Respondents expressly consent
and agree that:
A. They shall immediately cease and desist from transacting business in this State in violation of the Act, and in particular, S.C. Code Ann.§§ 35-1-301, 35-1-402 and 35-
1-501 thereof; and
B. Upon the Commissioner's execution of this Order, Respondents, jointly and severally, shall pay a total of ten thousand dollars ($10,000.00) to the Division as a civil penalty. The first payment of five thousand dollars ($5,000.00) shall be delivered to the Division along with Respondents' execnted copy of this Order. Thereafter, twelve monthly payments shall be delivered to the Division beginning no later than the first day of the

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WE CONSENT:

Securities Division of the Office of the Attorney General

By:
Gr ~)'.)(,~~~ Andrew J~ acLeod
Assistant Attorney General
Securities Division

Charles L. Smith,
On behalf