
 *
IN THE MATTER OF: *
 *
ADAM WESTPHALEN *
CRD NO. 2821723 *
 *
MOSAIC FINANCIAL STRATEGIES LLC *
f/k/a MOSAIC PORTFOLIO *
STRATEGISTS LLC *
CRD NO. 149364 *
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MOSAIC FINANCIAL STRATEGIES LLC *
d/b/a MOSAIC ADVISORY PARTNERS *
CRD NO. 288997 *
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ORDER PURSUANT TO
EXECUTIVE ORDER NO. 7M

DOCKET NO. CRNDF-19-8408-S

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration and enforcement of Chapter 672a of the Connecticut General Statutes, the Connecticut Uniform Securities Act (“CUSA”) and the regulations promulgated thereunder;

WHEREAS, on March 11, 2019, the Commissioner issued an Order to Cease and Desist, Order to Make Restitution, Notice of Intent to Deny Registrations as an Investment Adviser and as an Investment Adviser Agent, Notice of Intent to Fine and Notice of Right to Hearing (collectively “Notice”) to respondents Adam Westphalen, Mosaic Financial Strategies LLC f/k/a Mosaic Portfolio Strategists LLC, and Mosaic Financial Strategies LLC d/b/a Mosaic Advisory Partners (“Respondents”) for the Respondents’ alleged violations of CUSA and the regulations promulgated thereunder;

WHEREAS, on April 1, 2019, Respondents filed an appearance and requested a hearing on the allegations contained in the Notice;

WHEREAS, on September 26, 2019, October 3, 2019, December 6, 2019, December 10, 2019 and January 15, 2020, the Department conducted a hearing on the allegations contained in the Notice pursuant to the procedures set forth in Chapter 54 of the Connecticut General Statutes, the Connecticut Uniform Administrative Procedure Act (“UAPA”);

WHEREAS, the above matter constitutes a “contested case” under the UAPA, Section 4-166(4) of the Connecticut General Statutes;

WHEREAS, for all contested cases, the UAPA, Section 4-180(a) of the Connecticut General Statutes, requires the agency to render a final decision within 90 days following the close of evidence or the due date for the filing of briefs, whichever is later;

WHEREAS, the due date for the filing of briefs in the above matter was February 4, 2020;

WHEREAS, the current deadline for the Commissioner to render a final decision is May 4, 2020;

WHEREAS, on March 10, 2020, the Governor issued declarations of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut;

WHEREAS, because of the current health crisis and state of emergency, the Governor has implemented policies and procedures to reduce the number of state personnel working at state agency offices and increase the number of state personnel working from home;

WHEREAS, the Governor has recognized that the reduction in state personnel working at state agency offices has increased the difficulty in complying with statutory, regulatory, decision-making, hearing and other time requirements;

WHEREAS, on March 25, 2020, the Governor issued Executive Order No. 7M, which provides, inter alia: “Notwithstanding any provision of the Connecticut General Statutes, any regulation, or other provision of law, [the Governor] hereby authorize[s] each department head, commissioner, agency head, and board and commission of this State to extend, as they deem reasonably necessary to respond to the COVID-19 pandemic or its effects, any statutory or regulatory time requirements, decision-making requirements, hearings, or other time limitations or deadlines, procedure or legal process pertaining to matters under their respective jurisdiction, functions or powers for a period not to exceed 90 days”;

WHEREAS, the Commissioner has received a request from the Hearing Officer in this matter to exercise the authority granted by Executive Order No. 7M and extend the deadline for rendering a final decision from May 4, 2020 to July 6, 2020;

AND WHEREAS, the Commissioner has determined that it is reasonably necessary to extend the deadline for rendering a final decision as requested by the Hearing Officer.

NOW, THEREFORE, I, JORGE L. PEREZ, Banking Commissioner of the State of Connecticut, by virtue of the authority granted to me by Executive Order No. 7M, issued by Governor Ned Lamont on March 25, 2020, do hereby **ORDER** that the deadline for rendering a final decision in this matter be extended to **July 6, 2020**.

Dated at Hartford, Connecticut,
this 27th day of April 2020.

_____/s/_____
Jorge L. Perez
Banking Commissioner

On April 27, 2020, this Order was sent by electronic mail to Adam Westphalen on behalf of Respondents and to Elena Zweifler, Staff Attorney, at the Department of Banking.