

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**  
**September 2, 2008**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-13156**

**In the Matter of**

**Daryl Anderson,**

**Respondent.**

**ORDER INSTITUTING ADMINISTRATIVE  
PROCEEDINGS PURSUANT TO SECTION  
15(b) OF THE SECURITIES EXCHANGE  
ACT OF 1934  
AND NOTICE OF HEARING**

**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 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) against Daryl Anderson (“Respondent” or “Anderson”).

**II.**

After an investigation, the Division of Enforcement alleges that:

**A. RESPONDENT**

1. From March 2003 through May 2005, Anderson was a registered representative associated with NevWest Securities Corporation, a broker-dealer registered with the Commission during that period. Anderson, 40 years old, is a resident of Las Vegas, Nevada.

**B. ENTRY OF THE INJUNCTION**

2. On August 8, 2008, a judgment of permanent injunction was entered by consent against Anderson, permanently enjoining him from future violations of Sections 5(a) and 5(c) of the Securities Act of 1933 (“Securities Act”), in the civil action entitled Securities and Exchange Commission v. CMKM Diamonds, Inc., et al., Civil Action Number 02:08-cv-00437-LRH-RJJ, in the United States District Court for the District of Nevada.

3. The Commission's complaint alleged that, among other things, from March 2003 until May 2005, Anderson improperly sold more than 259 billion shares of unregistered securities of CMKM Diamonds, Inc. in 569 separate transactions. The complaint also alleged that this unregistered distribution generated more than \$53.3 million in proceeds, and yielded approximately \$2.3 million in commissions for Anderson.

### **III.**

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative proceedings be instituted to determine:

A. Whether the allegations set forth in Section II are true and, in connection therewith, to afford Anderson an opportunity to establish any defenses to such allegations; and

B. What, if any, remedial action is appropriate in the public interest against Anderson pursuant to Section 15(b) of the Exchange Act.

### **IV.**

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Anderson shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Anderson fails to file the directed answer, or fails to appear at a hearing after being duly notified, Anderson may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Anderson personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 120 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within

the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

For the Commission, by its Secretary, pursuant to delegated authority.

Florence E. Harmon  
Acting Secretary