

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 61723 / March 17, 2010

INVESTMENT ADVISERS ACT OF 1940
Release No. 3003 / March 17, 2010

ADMINISTRATIVE PROCEEDING
File No. 3-13819

In the Matter of

CHARLES J.
MARQUARDT,

Respondent.

ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF
THE SECURITIES EXCHANGE ACT
OF 1934 AND SECTION 203(f) OF
THE INVESTMENT ADVISERS ACT
OF 1940, MAKING FINDINGS, AND
IMPOSING REMEDIAL SANCTIONS

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”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Charles J. Marquardt (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Section III.2. below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section

203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. In June 2008, Marquardt was a senior vice president and the chief administrative officer for operations of Evergreen Investment Management Company, Inc. (“EIMCO”), an investment adviser registered with the Commission. From April 1998 through April 2009, Marquardt was a registered representative of Evergreen Investment Services, Inc., a broker-dealer registered with the Commission. Marquardt, 42 years old, is a resident of Cambridge, Massachusetts.

2. On March 11, 2010, a final judgment was entered by consent against Marquardt, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder in the civil action entitled Securities and Exchange Commission v. Charles J. Marquardt, Civil Action Number 10-cv-10073, in the United States District Court for the District of Massachusetts.

3. The Commission’s complaint alleged that, on or about June 12, 2008, Marquardt redeemed all of the shares he owned in the Evergreen Ultra Short Opportunities Fund (“Ultra Fund”) and caused a family member to do the same while Marquardt was in possession of material, nonpublic information about the Ultra Fund that he had learned from his employer, EIMCO.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Marquardt’s Offer.

Accordingly, it is hereby ORDERED:

Pursuant to Section 15(b)(6) of the Exchange Act and Section 203(f) of the Advisers Act, that Respondent Marquardt be, and hereby is barred from association with any broker, dealer, or investment adviser, with the right to reapply for association after two years to the appropriate self-regulatory organization, or if there is none, to the Commission;

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order;

(c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Elizabeth M. Murphy
Secretary