

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 59568 / March 12, 2009**

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 2852 / March 12, 2009**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-13409**

**In the Matter of**

**MATTHEW E. KOPSKY,**

**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 Matthew E. Kopsky (“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. Kopsky was employed by Prudential Securities, Inc. and its successor Wachovia Securities LLC as a registered representative from July 2000 to October 2005. Prudential Securities, Inc. was a broker-dealer and an investment adviser registered with the Commission, and Wachovia Securities LLC was a broker-dealer registered with the Commission. Kopsky is currently an owner of an investment adviser registered with the State of Missouri. Kopsky, 41 years old, is a resident of Chesterfield, Missouri.

2. On February 24, 2009, a final judgment was entered by consent against Kopsky, permanently enjoining him from future violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled SEC v. Matthew E. Kopsky, et al., Civil Action Number 4:07-cv-379-RWS, in the United States District Court for the Eastern District of Missouri.

3. The Commission's complaint alleged that Kopsky engaged in insider trading in the securities of Engineered Support Systems, Inc. ("ESSI"). The complaint alleged that Ronald Davis, ESSI's former President of Business Development, tipped Kopsky before each of ESSI's first three quarterly earnings announcements in 2003, and that Kopsky purchased ESSI securities for himself and his clients based on material, nonpublic information received from Davis. According to the complaint, Kopsky made a total profit of \$276,259 on these trades, including \$107,062 personally, and \$169,197 for his clients.

### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Kopsky'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 Kopsky be, and hereby is suspended from association with any broker, dealer, or investment adviser, for a period of twelve months, effective on the second Monday following the entry of this Order. Respondent shall provide to the Commission, within 20 days after the end of the twelve month suspension period described above, an affidavit that he has complied fully with the suspension.

By the Commission.

Elizabeth M. Murphy  
Secretary