

BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF DELAWARE

IN THE MATTER OF:)
)
WILMINGTON TRUST) Case No. 02-1-1
COMPANY,)
)
Respondent.)



CONSENT ORDER

WHEREAS, _____ has lodged a complaint with the Division of Securities for the State of Delaware (hereinafter "Division") against Wilmington Trust Company (hereinafter "WTC") concerning certain investment agent services that WTC provided to Mr. _____ and his wife, _____; and

WHEREAS, the Division, has completed its investigation of Mr. _____ complaint and has made the following investigative findings:

- (1) On or about November 22, 2000, at a WTC branch office in Wilmington, Delaware, agents of WTC met with _____ to discuss the _____ interest in retaining WTC as an investment adviser (through an investment advisory program called "Private Client Advisory Services") to manage two separate custody accounts that the _____ had opened at WTC on or about November 9, 2000; and
- (2) On or about November 22, 2000, at the above-described meeting in Wilmington, Delaware, WTC, through its agents, presented to _____ literature that represented to the _____ that, with respect to their investments, they would receive the [h]ighest level of personalized service provided through their private client advisor and investment specialist team, but omitted to inform the _____ that (a) the WTC representative who was purportedly being assigned the primary responsibility for managing their investments, was a new employee of WTC; (b) that he would actually play no role in the selection of the securities to be purchased for the _____ account; and (c)

the decision as to the actual securities to be purchased for the _____ account would not be made by someone who was personally familiar with the _____ financial circumstances and investment objectives, but rather in accordance with a pre-determined set of instructions developed by a committee of persons who knew nothing about the _____ and their financial circumstances and investment objectives; and

WHEREAS, the Division has informed WTC of its investigative findings and its preliminary conclusion that the conduct described in the findings may be in violation of 6 Del. C. § 7303, and

WHEREAS, WTC has expressed its disagreement with the Division's findings and conclusion but, nonetheless, wishes to settle this matter amicably;

NOW THEREFORE, PURSUANT TO THE CONSENT OF THE SECURITIES DIVISION AND WILMINGTON TRUST COMPANY, IT IS HEREBY ORDERED this 20th day of October, 2005 as follows:

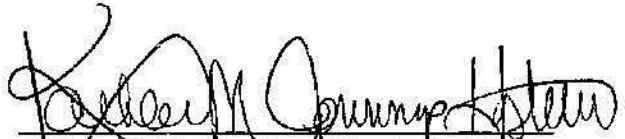
1. WTC shall make restitution to Mr. and Mrs. _____ by delivering to the Division of Securities, within thirty days of the date of the present Order, a check drawn on good and sufficient funds made payable to the order of _____ in the amount of \$50,000.00.

2. Upon receipt of the above-mentioned check, the Division of Securities shall, within a reasonable period of time, forward it to Mr. and Mrs. _____

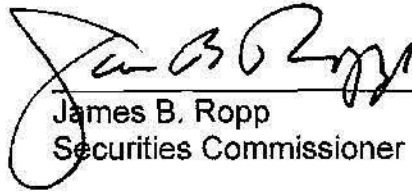
3. The Division shall commence no further legal action in connection with any matter arising out of WTC and its agents' investment agency relationship with Mr. and Mrs. _____



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James B. Ropp
Securities Commissioner