

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
 STATE OF OKLAHOMA FILED IN THE DISTRICT COURT
 OKLAHOMA COUNTY, OKLA.

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
 Administrator,)
)
 Plaintiff,)
)
 v.)
)
 Christopher R. Moreno,)
)
 Defendant.)

MAY - 8 2008

PATRICIA PRESLEY, COURT CLERK
 by _____
 Deputy

Case No. **CJ -2 00 8 -4 197**

APPLICATION FOR ORDER ENFORCING ADMINISTRATIVE ORDER

Plaintiff, Oklahoma Department of Securities (“Department”) *ex rel.* Irving L. Faught, Administrator, petitions this Court for an order enforcing an administrative order issued pursuant to Section 1-604 of the Oklahoma Uniform Securities Act of 2004 (“Act”), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2004). For this cause, Plaintiff alleges and states:

1. Defendant Christopher R. Moreno (“Defendant Moreno”) is an individual and a resident of Shawnee, Oklahoma.
2. Pursuant to Section 1-603 of the Act, Plaintiff is the proper party to bring this action against Defendant Moreno, and Plaintiff may bring such action in the District Court of Oklahoma County.
3. By virtue of his residence and activities in this state, Defendant Moreno is subject to the jurisdiction of this Court and to service of summons within this state.
4. On February 25, 2008, the *Agreement*, attached hereto as “Exhibit A” and incorporated herein by reference, between Defendant Moreno and Plaintiff was executed (“Agreement”) as a result of an investigation into Defendant Moreno’s activities in connection

with the offer and sale of securities to an Oklahoma resident (“Investor”) in or about January 2005.

5. Item 1 of the Agreement states, “The Administrator will issue an *Order to Cease and Desist* in the form attached hereto as ‘Attachment A.’”

6. Pursuant to the Agreement, the Administrator issued the cease and desist order (“Administrative Order”), attached hereto as “Exhibit B” and incorporated herein by reference, against Defendant Moreno on February 25, 2008.

7. Page 2 of the Administrative Order states in pertinent part: “IT IS FURTHER ORDERED that Respondent shall comply with all other terms of the Agreement.”

8. Item 3 of the Agreement states the following:

Respondent will refund the sum of Ten Thousand Dollars (\$10,000) to the Investor before February 16, 2010. Respondent shall make an initial payment in the amount of Eight Hundred Dollars (\$800) to the Investor on or before March 15, 2008. The remaining balance shall be paid in monthly installments of at least Four Hundred Dollars (\$400), due on the fifteenth (15th) day of each month, beginning on April 15, 2008. All payments must be made by cashier’s check or money order, payable to the Investor, and must be received, on or before the date they are due, at the address provided by the Department to Respondent. A copy of each cashier’s check or money order shall be simultaneously mailed to:

Oklahoma Department of Securities
Attn: Terra Bonnell
Suite 860, First National Center
120 North Robinson Avenue
Oklahoma City, OK 73102.

9. The Department provided Defendant Moreno with the address of the Investor on January 22, 2008, during the “negotiation” of the Agreement.

10. Rule 660:2-9-8 of the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities (“Rules”) states, in pertinent part: “Parties shall be notified either personally or by certified mail, return receipt requested, of any final order.”

11. On February 25, 2008, the same date the Administrative Order was issued, the Department mailed a copy of the Administrative Order to Defendant Moreno by certified mail, return receipt requested, to Christopher R. Moreno, 27 Sequoyah Boulevard, Shawnee, OK 74801. On March 12, 2008, the certified mail return receipt was signed by Defendant Moreno. See Exhibit C.

12. On or about April 9, 2008, the Investor received the \$800 due to her on March 15, 2008, pursuant to the Agreement. See Exhibit D.

13. The Investor has not received the \$400 due to her on April 15, 2008, pursuant to the Agreement. See Exhibit D.

14. Subsection G of Section 1-604 of the Act states:

If a person does not comply with an order under this section, the Administrator may petition a court of competent jurisdiction to enforce the order. The court may not require the Administrator to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not to exceed One Thousand Dollars (\$1,000.00) for each violation and may grant any other relief the court determines is just and proper in the circumstances.

15. Without relief, the Department has no means to carry out its legislative mandate to enforce the Act.

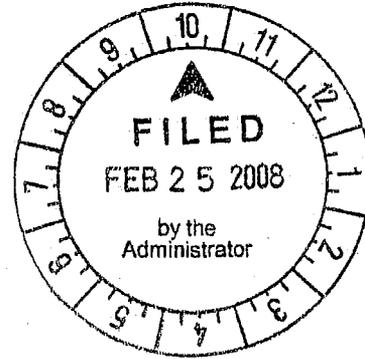
WHEREFORE, the Department requests that this Court adjudge Defendant Moreno in civil contempt of the Administrative Order; order Defendant Moreno to pay a civil penalty in the amount of One Thousand Dollars (\$1,000.00) to the Department within five (5) business days of the entry of such order; order Defendant Moreno to send, via certified mail, return receipt requested, a cashier's check or money order in the amount of the sum of all payments past due under the terms of the Agreement to the Investor within twenty-four (24) hours of receiving

notice of the entry of such order; order Defendant Moreno to comply with the Administrative Order and the Agreement in the future; and grant such other relief as this Court deems appropriate.

Respectfully submitted,
OKLAHOMA DEPARTMENT OF SECURITIES
Irving L. Faught, Administrator

By: *Terra Shamas Bonnell*
Terra Shamas Bonnell, OBA #20838
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Telephone: (405) 280-7700
Facsimile: (405) 280-7742

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 N. ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Christopher R. Moreno,

Respondent.

ODS File No. 07-088

AGREEMENT

THIS AGREEMENT is entered into between Christopher R. Moreno ("Respondent") and the Administrator ("Administrator") of the Oklahoma Department of Securities ("Department") as of the Effective Date set forth below.

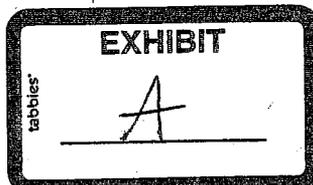
Pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003), the Department conducted an investigation into the activities of Respondent to determine whether certain violations of the Act and/or the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities ("Rules") may have occurred.

The Department's investigation revealed that Respondent was registered as an agent under the Act and the predecessor act, Oklahoma Securities Act, Okla. Stat. tit. 71, §§ 1-403, 501, 701-703 (2001 & Supp. 2003), from February 2000 through May 2001 and from May 2003 through September 2004. The Department's investigation further revealed that, in January 2005, an Oklahoma resident who was an existing client of Respondent (the "Investor"), paid Respondent the sum of Ten Thousand Dollars (\$10,000) in reliance on Respondent's representation that he would invest the money in certain securities on her behalf. Instead of investing the Investor's funds, Respondent used the money to pay for Respondent's personal expenses.

Respondent desires to settle this matter expeditiously and in a manner consistent with the purposes fairly intended by the policies and provisions of the Act.

The undersigned parties hereto agree as follows:

1. **Order to Cease and Desist.** The Administrator will issue an *Order to Cease and Desist* in the form attached hereto as "Attachment A."
2. **Sale of Securities.** Respondent will not transact business in and/or from the state of Oklahoma as an "agent," "broker-déaler," "issuer," "investment adviser," and/or "investment adviser representative," as those terms are defined in Section 1-102 of the Act.



3. **Refund to Investor.** Respondent will refund the sum of Ten Thousand Dollars (\$10,000) to the Investor before February 16, 2010. Respondent shall make an initial payment in the amount of Eight Hundred Dollars (\$800) to the Investor on or before March 15, 2008. The remaining balance shall be paid in monthly installments of at least Four Hundred Dollars (\$400), due on the fifteenth (15th) day of each month, beginning on April 15, 2008. All payments must be made by cashier's check or money order, payable to the Investor, and must be received, on or before the date they are due, at the address provided by the Department to Respondent. A copy of each cashier's check or money order shall be simultaneously mailed to:

Oklahoma Department of Securities
Attn: Terra Bonnell
Suite 860, First National Center
120 North Robinson Avenue
Oklahoma City, OK 73102.

4. **Jurisdiction.** The Administrator has jurisdiction over Respondent and the subject matter of this action.

5. **No Coercion.** Respondent enters into this Agreement voluntarily and without any duress, undue influence, or coercion by the Administrator, any employee of the Department, or the Oklahoma Securities Commission.

6. **Entire Agreement.** This writing constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes any and all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment to this Agreement shall be binding unless executed in writing by each of the parties hereto.

7. **Limitation on Agreement.** Nothing in this Agreement shall prohibit the Administrator from furnishing information to any other properly constituted agency or authority. In the event any other agency or authority commences an action in connection with information obtained by the Administrator against Respondent, the Administrator may assist in such actions as authorized by law.

8. **Effective Date.** This Agreement shall be effective as of the date on which it is signed by the Administrator as set forth below his signature hereto.

9. **Consideration.** In consideration for this Agreement, the Administrator will not take further action against Respondent in connection with the offer and/or sale of securities to the Investor in January 2005.

10. **Failure to Comply.** If Respondent fails to comply with the terms of this Agreement in any material respect, the Administrator shall proceed against Respondent as authorized by law.

11. **Applicability.** This Agreement applies only to the activities of Respondent in connection with the offer and/or sale of securities to the Investor in January 2005, and to no others.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year set forth below their signatures hereto.

CHRISTOPHER R. MORENO



Date: 02/13/08

Residential Address: 27 Sequoyah Blvd.
Chownee, OK 74801

IRVING L. FAUGHT, ADMINISTRATOR
OKLAHOMA DEPARTMENT OF SECURITIES



Date: February 25, 2008

Approved as to form:



Terra Shamas Bonnell, OBA No. 20838
Oklahoma Department of Securities
120 North Robinson Avenue, Suite 860
Oklahoma City, OK 73102
ATTORNEY FOR DEPARTMENT

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 N. ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102

In the Matter of:

Christopher R. Moreno,

Respondent.

ODS File No. 07-088

ORDER TO CEASE AND DESIST

Pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003), the Oklahoma Department of Securities ("Department") conducted an investigation into the activities of Christopher R. Moreno ("Respondent") to determine whether certain violations of the Act and/or the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities ("Rules") may have occurred.

In order to resolve the violations of the Act discovered during the Department's investigation, Respondent voluntarily executed the Agreement that is attached hereto as "Exhibit A" and incorporated herein by reference and consented to the issuance of this *Order to Cease and Desist* ("Order").

This Order is issued pursuant to Section 1-604 of the Act and 660:2-5-3 of the Rules (as amended July 1, 2007). For purposes of this Order, the Administrator hereby adopts the following Findings of Fact: (1) in January 2005, an Oklahoma resident paid Respondent the sum of Ten Thousand Dollars (\$10,000) in reliance on Respondent's representation that he would invest the money in certain securities on behalf of the Oklahoma resident, but Respondent used the money to pay for Respondent's personal expenses instead of investing the funds; (2) Respondent executed the Agreement; (3) Respondent agrees that the Administrator has jurisdiction over the parties and the subject matter of this action and agrees to the issuance of this Order. The Administrator hereby adopts the following Conclusions of Law: (1) Respondent made an untrue statement of material fact in connection with the offer and/or sale of a security in and/or from the state of Oklahoma in violation of Section 1-501 of the Act; (2) the Administrator was authorized to enter into the Agreement and is authorized to issue this Order pursuant to Section 1-604 of the Act and 660:2-5-3 of the Rules (as amended July 1, 2007); and (3) it is in the public interest for the Administrator to issue this Order.

NOW THEREFORE, IT IS HEREBY ORDERED that Respondent cease and desist from engaging in any act, practice, or course of business constituting a violation of the Act and/or a rule adopted under the Act and from doing any act in furtherance thereof.

IT IS FURTHER ORDERED that Respondent shall comply with all other terms of the Agreement.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this ____ day of January, 2008.

(SEAL)

IRVING L. FAUGHT, ADMINISTRATOR OF
THE OKLAHOMA DEPARTMENT OF SECURITIES

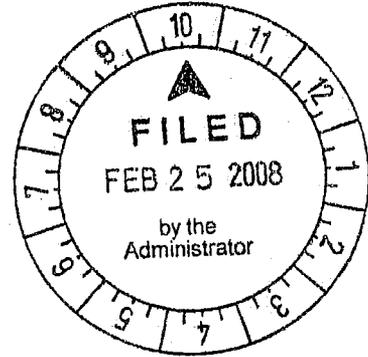
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the ____ day of January, 2008, a true and correct copy of the above and foregoing *Order to Cease and Desist* was mailed by certified mail, return receipt requested, to:

Christopher R. Moreno
27 Sequoyah Boulevard
Shawnee, OK 74801

Brenda London, Paralegal

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 N. ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Christopher R. Moreno,

Respondent.

ODS File No. 07-088

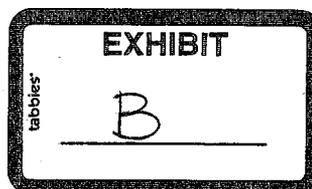
ORDER TO CEASE AND DESIST

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In order to resolve the violations of the Act discovered during the Department's investigation, Respondent voluntarily executed the Agreement that is attached hereto as "Exhibit A" and incorporated herein by reference and consented to the issuance of this *Order to Cease and Desist* ("Order").

This Order is issued pursuant to Section 1-604 of the Act and 660:2-5-3 of the Rules (as amended July 1, 2007). For purposes of this Order, the Administrator hereby adopts the following Findings of Fact: (1) in January 2005, an Oklahoma resident paid Respondent the sum of Ten Thousand Dollars (\$10,000) in reliance on Respondent's representation that he would invest the money in certain securities on behalf of the Oklahoma resident, but Respondent used the money to pay for Respondent's personal expenses instead of investing the funds; (2) Respondent executed the Agreement; (3) Respondent agrees that the Administrator has jurisdiction over the parties and the subject matter of this action and agrees to the issuance of this Order. The Administrator hereby adopts the following Conclusions of Law: (1) Respondent made an untrue statement of material fact in connection with the offer and/or sale of a security in and/or from the state of Oklahoma in violation of Section 1-501 of the Act; (2) the Administrator was authorized to enter into the Agreement and is authorized to issue this Order pursuant to Section 1-604 of the Act and 660:2-5-3 of the Rules (as amended July 1, 2007); and (3) it is in the public interest for the Administrator to issue this Order.

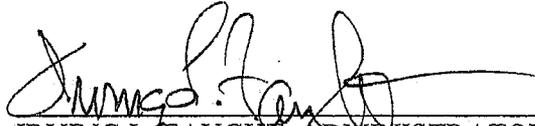
NOW THEREFORE, IT IS HEREBY ORDERED that Respondent cease and desist from engaging in any act, practice, or course of business constituting a violation of the Act and/or a rule adopted under the Act and from doing any act in furtherance thereof.



IT IS FURTHER ORDERED that Respondent shall comply with all other terms of the Agreement.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 25th day of February, 2008.

(SEAL)



IRVING L. FAUGHT, ADMINISTRATOR OF
THE OKLAHOMA DEPARTMENT OF SECURITIES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 25th day of February, 2008, a true and correct copy of the above and foregoing *Order to Cease and Desist* was mailed by certified mail, return receipt requested, to:

Christopher R. Moreno
27 Sequoyah Boulevard
Shawnee, OK 74801



Terra Shamas Bonnell

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Christopher R. Moreno
 27 Sequoyah Blvd
 Shawnee, OK 74801

CD 07-088 TB

2. Article Number (Copy from service label)

7000 0520 0023 1186 9688

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

[Handwritten Signature]

3-12

- Agent
- Addressee

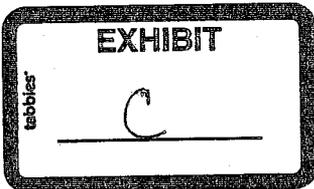
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

RECEIVED
 ALABAMA
 SECURITY
 MAR 14 11 46 AM '99

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.D.

4. Restricted Delivery? (Extra Fee) Yes



Apr. 25. 2008 2:04PM

No. 1167 P. 2

AFFIDAVIT OF GLORIA BACHHOFER

STATE OF UTAH)
COUNTY OF Wasatch)

ss.

The undersigned affiant, of lawful age, being first duly sworn upon oath deposes and states:

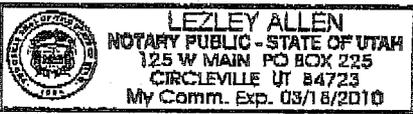
1. My name is Gloria Bachhofer. I reside at 1450 North Dixie Downs Road, Unit 93, St. George, Utah 84770.
2. I moved from Prague, Oklahoma, to my current residence in January 2005.
3. Prior to moving to the state of Utah, I paid Christopher Moreno, whom I knew as "Chris Moreno," the sum of Ten Thousand Dollars (\$10,000) for him to invest on my behalf.
4. I received \$800 from Christopher Moreno on April 9, 2008.
5. I have not received any other money from Christopher Moreno during the calendar year 2008.

FURTHER AFFIANT SAYETH NOT.

Dated this 29 day of April, 2008.

Gloria Bachhofer
GLORIA BACHHOFER, AFFIANT

Subscribed and sworn to before me this 29th day of April, 2008.

(SEAL)  LEZLEY ALLEN
NOTARY PUBLIC - STATE OF UTAH
125 W MAIN PO BOX 225
CIRCLEVILLE UT 84723
My Comm. Exp. 03/18/2010

Lezley Allen
NOTARY PUBLIC

My Commission Expires: 3/18/2010

My Commission No.: _____

