



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

IN THE MATTER OF:)	
)	
JOSHUA MCDONALD; and PERFECTION)	
PR FIRM, LLC,)	Case No. AP-18-19
)	
<i>Respondents.</i>)	
)	
Serve: Joshua McDonald)	
260 Ramsey Street NE)	
Cleveland, Tennessee 37312)	
)	
and)	
)	
Perfection PR Firm, LLC)	
c/o Universal Registered Agents, Inc.)	
12 Timber Creek Lane)	
Newark, Delaware 19711)	

**ORDER TO CEASE AND DESIST AND ORDER TO SHOW CAUSE WHY
RESTITUTION, CIVIL PENALTIES, AND COSTS SHOULD NOT BE IMPOSED**

On November 19, 2018, the Enforcement Section of the Missouri Securities Division of the Office of Secretary of State (“the Enforcement Section”), through Director of Enforcement Steven C. Reed, submitted a Petition for Order to Cease and Desist and Order to Show Cause Why Restitution, Civil Penalties, and Costs Should Not Be Imposed (“the Petition”). After reviewing the Petition, the Missouri Commissioner of Securities (“the Commissioner”) issues the following order:

I. ALLEGATIONS OF FACT

The Petition alleges the following facts:

A. Introduction

From approximately December 11, 2017, to January 23, 2018, Joshua McDonald (“McDonald”) through his business, Perfection PR Firm, LLC (“Perfection PR”), solicited at least four Missouri residents, one of whom was elderly, to invest a total of \$260,000 in a foreign currency exchange

market (“Forex”) trading program in which McDonald promised unrealistic returns and guarantees. Despite sending the investors statements purporting 20% or more returns on their investment, McDonald never sent funds back to the investors with the exception of one who received \$20,000 back after requesting a withdrawal. To date, McDonald has been unresponsive to the investors’ request for information regarding the investments.

B. Respondents and Related Parties

1. McDonald is a 24-year-old Tennessee resident with a last known address at 260 Ramsey Street NE, Cleveland, Tennessee 37312.
2. A check of the Central Registration Depository (“CRD”) indicates that at all times relevant, McDonald was not registered as a broker-dealer, broker-dealer agent, investment adviser, investment adviser representative, and/or issuer agent.
3. Upon information found in the National Futures Association’s BASIC database, at all times relevant to this matter, Respondent McDonald was not registered as any type of commodity merchant or intermediary in connection with futures trading.¹
4. Perfection PR is a Delaware corporation formed on January 29, 2016. Its registered agent is Universal Registered Agents, Inc., which has a last known address of 12 Timber Creek Lane, Newark, Delaware 19711.
5. A check of the records maintained by the Commissioner indicates that at all times relevant, there was no registration, granted exemption, or notice filing indicating status as a “federal covered security” for any securities issued by Perfection PR.
6. Upon information found in the National Futures Association’s BASIC database, at all times relevant to this matter, Respondent Perfection PR was not registered as any type of commodity merchant or intermediary in connection with futures trading.

C. Enforcement Section Investigation

Mississippi Resident

7. A 31-year-old then Sullivan, Missouri, now Madison, Mississippi, resident (“MS”) first learned about McDonald and Perfection PR’s investment from another investor, a 42 year-old Rolla, Missouri resident (“MR3”).
8. Prior to the investment, MS communicated with McDonald several times via video conference, email, and telephone.
9. McDonald told MS, among other things, that:

¹ BASIC is the database where futures commission merchants or intermediaries must register in order to be considered registered with the Commodities Futures Trading Commission.

- a. McDonald had four years experience in trading in Forex for others, and never lost funds;
 - b. MS could earn a 20-50% return on their investment in one month;
 - c. McDonald would never trade more than 2-4% of an investors' entire investment amount to ensure the investment funds would be safe; and
 - d. McDonald would receive a 35% commission.
10. MS agreed to invest \$100,000 with McDonald and Perfection PR and would keep MS's funds invested for approximately three months.
 11. On or about January 9, 2018, MS wired \$90,000 to Perfection PR's bank account.
 12. MS received an invoice from McDonald confirming the \$90,000 deposit.
 13. On or about February 12, 2018, MS received a "Forex Earning Report" from McDonald indicating MS's investment had grown to \$101,700.
 14. On or about April 15, 2018, MS received a second "Forex Earning Report" from McDonald indicating MS's investment had grown to \$111,615.75.
 15. On or about April 9, 2018, MS requested to withdraw the investment funds.
 16. McDonald refused, claiming that MS breached the contract when MS agreed to wire \$100,000 but only wired \$90,000.
 17. McDonald never asked about the other \$10,000 until MS requested to withdraw.
 18. MS did not send the remaining \$10,000 to McDonald because MS was concerned McDonald would start trading the \$10,000 immediately, like McDonald did after he received the initial \$90,000.
 19. McDonald will no longer respond to MS's telephone calls or emails.

Forex Investment Agreement

20. Around the time of MS's investment, McDonald supplied MS with a "Forex Investment Agreement" that stated, among other things, the following:
 - a. "[Perfection PR] is in the business of presenting investment opportunities & financial consulting; [Perfection PR] would like to offer investors a placement in our Forex Trading Program";

- b. “Both parties wish to enter into this Agreement, whereby [Perfection PR] offers said investment opportunity & return on investment through Forex trading (as described below) the terms & conditions of this agreement.”;
- c. “Commencing as of this 9 day of January 2018, this Agreement & continuing in effect for minimum 3 months (from effective date) will be an open-ended term agreement until termination. [Perfection PR], agrees to offer client an investment opportunity with goal to receive profit return on initial investment of \$100,000 By client signing this agreement, they are agreeing to invest \$100,000”;
- d. “The relationship between the Parties shall be limited to the performance of the terms & conditions of this agreement. Nothing herein shall be construed to create a general partnership between parties outside of such terms.”;
- e. “[Perfection PR] will carry out investing client’s portfolio for term of agreement after signed date at and after receipt of funds. [Perfection PR] will also take a commissioned fee of 35% out of each months profits. At which point will keep client updated & go over the final overview of client’s investment when needed or requested; as stated before the minimum goal is 20% return on investment per month. Yet [Perfection PR’s] goal is to secure as much profit as possible.”; and
- f. “This Contract, in no way substitutes or adheres as a partnership or joint venture, it is simply an offering of an independent contractor offering said terms. [Perfection PR’s] job is to bring potential successful investment opportunity to said client and client’s job is to be investor in said program.”

Client/Investor Non-Disclosure Agreement

- 21. Around the time of the investment, McDonald supplied MS with a “Client/Investor Non-Disclosure Agreement” that stated, among other things:
 - a. “Potential Investor wishes to receive information that [Perfection PR] wants to keep confidential relating to [Perfection PR’s] business plan, financial matters, track record, historical trading, products and/or services currently under development; up to date or not for public to see due to protection of client’s information, and regulations within such privacy through the Forex and business category.”; and
 - b. “In the event that any of the provisions of this Agreement shall be held by a court or other tribunal of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be limited or eliminated to the minimum extent necessary so that this Agreement shall otherwise remain in full force and effect.”

Missouri Resident 1 (“MR1”)

- 22. A 57-year-old Hannibal, Missouri resident (“MR1”) first learned about McDonald and Perfection PR’s investment from MR3.

23. McDonald told MR1 that MR1 could achieve a 20% return per month by trading in Forex accounts.
24. On or around December 7, 2017, MR1 wired \$10,000 to Perfection PR's bank account.
25. Sometime around the time of the investment, MR1 executed a "Forex Investment Agreement" and "Client/Investor Non-Disclosure Agreement", similar to MS's documents described above.
26. Approximately one month after the investment, McDonald failed to answer MR1's texts and emails.
27. Eventually, McDonald sent MR1 a statement that indicated MR1 made a \$3,000-\$4,000 profit.
28. MR1 requested the investment funds back but McDonald refused.

Missouri Resident 2 ("MR2")

29. A 65-year-old Hannibal, Missouri resident ("MR2") first learned about Perfection PR/McDonald through MR3 below.
30. On or around January 17, 2018, MR2 wired \$10,000 to Perfection PR's bank account.
31. Sometime around the time of the investment, MR2 executed a "Forex Investment Agreement" and "Client/Investor Non-Disclosure Agreement" similar to MS and MR1's documents described above.
32. Approximately one month after making the investment, MR2 received a text from McDonald who indicated a return on investment of 20% was achieved.
33. Eventually McDonald would communicate less with MR2 until the communications stopped all together.
34. To date, MR2 has received no funds back.

Perfection PR's Marketing Document

35. Around the time of MR2's investment, McDonald sent MR2 a Perfection PR marketing document that stated, among other things, the following:
 - a. "We have consistently brought a monthly return of 20% on our client's investments. We offer 24/5 [*sic*] support and ensure that our client's receive the best returns in the industry.";
 - b. Perfection PR "has had a 100% success rate with all of our clients, we have brought a minimum monthly return of 20% or more in profits. With clients ranging from

\$10,000 to \$1,000,000 Million plus. We're not here to waste your time or money. Forget a 6-10% annual return on mutual funds, IRA, 401K or any alike. Invest in Forex & let us bring you 20% or more ROI per month.”;

- c. a “Recent client had a very successful portfolio with our 6 month program, starting deposit with \$1 million dollars & yielding a 226.5% gain of profit. And withdrawal of \$1,735,572.00.”; and
- d. “Another very successful portfolio within our 6 month program, starting deposit with \$100,000 dollars & yielding a \$205,000 + gain of profit.”

Missouri Resident 3 (“MR3”)

- 36. A 42-year-old Rolla, Missouri resident (“MR3”) learned about Perfection PR/McDonald from a friend who resides in San Diego, California.
- 37. MR3 spoke with McDonald over the telephone. McDonald claimed he engaged in a “strict risk management” trading plan whereby only 2-4% of an investor’s funds would be at risk of being lost. If the market was doing well, the plan would be raised to 10%.
- 38. McDonald promised MR3 a return on investment ranging between 20%-60% depending on market conditions. No specific trading strategy was shared to obtain the purported return on investment.
- 39. Between in or around November 2017 to January 2018, MR3 invested a total of \$150,000 in Perfection PR/McDonald.
- 40. MR3 had no time horizon for the investment and intended to roll over any profits into a new investment. If the investment succeeded, MR3 intended to invest up to \$50,000 more per month.
- 41. MR3 executed a “Forex Investment Agreement” and “Client/Investor Non-Disclosure Agreement” similar to other investors’ above.
- 42. Sometime after the investment, MR3 requested \$20,000 of the investment back. After a longer-than-expected time, McDonald sent the funds to MR3.
- 43. McDonald sent MR3 updates that indicated MR3’s account had grown to \$260,000. MR3 requested \$100,000 of this amount back but McDonald refused claiming the money was tied up in “swing trades.”
- 44. McDonald frequently solicited more money from MR3 for Perfection PR but MR3 declined.

45. On May 4, 2018, McDonald sent an email to MR3 that purported MR3's investment portfolio was a total loss due to bad trades in Forex accounts. McDonald blamed, among other things, the current political environment and Middle East issues for the losses.

Enforcement Section Letter to McDonald

46. On May 23, 2018, the Enforcement Section sent a letter to McDonald asking for information and documentation concerning the allegations made against him.
47. On June 8, 2018, McDonald emailed the Enforcement Section and acknowledged receipt of the Enforcement Section's letter requesting information. McDonald requested an extension of two weeks to respond and purported his attorney would contact the Enforcement Section.
48. On June 26, 2018, the Enforcement Section emailed McDonald and requested an update on the requested information. On August 3, 2018, McDonald responded via email that the requested documents were being compiled and that McDonald's attorney was out of town.
49. To date, McDonald has not responded to the Enforcement Section's request for information.

Bank Review

50. A review of Perfection PR's Regions Bank account ending in #0364 from November 16, 2017 to May 31, 2018 revealed, among other things, the following:
- a. a beginning balance of zero on November 16, 2017;
 - b. deposits totaling approximately \$878,902.23 that included:
 - i. \$900 in cash deposits;
 - ii. \$200,000 from Citibank account ending in #7128;
 - iii. a \$10,000 wire from MR1 on December 11, 2017;
 - iv. \$90,000 from MS on January 9, 2018;
 - v. a \$10,000 wire from MR2 on January 17, 2018;
 - vi. \$358,131.85 from what appeared to be investment-related businesses;
 - vii. \$198,072.80 from unknown people and/or businesses;
 - viii. \$3,849.92 in credits; and
 - ix. \$7,410 from an unknown Bank of America account;
 - c. withdrawals/payments totaling approximately \$874,393.52 that included:

- i. \$142,900 withdrawn/transferred to McDonald's Citibank account ending in #7128;
 - ii. more than \$550,000 in payments to what appeared to be investment-related businesses;
 - iii. \$22,122.71 in commission payments to an unknown individual;
 - iv. a \$20,000 wire to MR3 on March 21, 2018;
 - v. \$2,080 in rent payments;
 - vi. a \$5,000 wire to an unknown individual on March 2, 2018; and
 - vii. more than \$122,000 in payments to, among others, credit card companies, clothing stores, restaurants, gas stations, PayPal, Apple iTunes, Best Buy, Bed Bath & Beyond, Lowes, and cell phone companies; and
 - d. an ending balance of \$3,550.47 on May 31, 2018.
- 51. A review of McDonald's Citibank account ending in #7128 from November 15, 2017 to May 31, 2018 revealed, among other things, the following:
 - a. a beginning balance of \$1,790.02 on November 15, 2017;
 - b. deposits totaling approximately \$484,623.33 that included:
 - i. \$142,900 from Regions Bank account ending in #0364;
 - ii. \$150,000 in wires from MR3 that included \$100,000 on November 20, 2017 and \$50,000 on January 23, 2018;
 - iii. \$49,995 from an unknown Bank of America account;
 - iv. \$130,751.38 from what appeared to be investment-related businesses;
 - v. \$5,985.27 from unknown sources; and
 - vi. \$4,991.68 in returns and interest;
 - c. withdrawals/payments totaling approximately \$489,871.73 that included:
 - i. \$200,500 transferred to Regions Bank account ending in #0364;
 - ii. \$236,510.25 in payments to what appeared to be investment-related businesses;
 - iii. \$52,861.48 in what appeared to be personal expenditures for, among others, restaurants, spas, and credit card payments; and
 - d. an ending balance of \$372.77 on May 31, 2018.

52. Prior to the offer and/or sale of securities, specifically investment contracts in the form of Forex Investment Agreements, McDonald made misstatements and/or omitted to disclose the following material information:
- a. that McDonald was not registered to offer and/or sell securities;
 - b. that the securities offered and/or sold by Perfection PR/McDonald were not registered or exempt from registration;
 - c. specific information regarding how McDonald would achieve the purported investment returns;
 - d. specific information regarding where the investment funds would be traded;
 - e. that McDonald would be non-responsive to investors despite claiming in marketing documents that Perfection PR/McDonald provided “24/5 support”; and
 - f. specific information to support the purported investment returns on statements McDonald sent investors.

II. COMMISSIONER’S DETERMINATIONS AND FINDINGS

Multiple Violations of Offering and Selling Unregistered, Non-Exempt Securities

53. **THE COMMISSIONER DETERMINES** that Respondent McDonald, through Respondent Perfection PR, offered and sold unregistered, non-exempt securities in and/or from the state of Missouri to investors by, among other things:
- a. soliciting individuals to invest in Respondent Perfection PR and receiving funds from the investors;
 - b. the investors invested funds in a common enterprise with Respondents;
 - c. the investors’ funds were to be used by Respondents to conduct Forex trading;
 - d. the investors expected a profit from the efforts of Respondents and not from the investors’ own efforts; and
 - e. the investors’ expected profits were interwoven with and dependent upon the efforts of Respondents.
54. These activities constitute an offer and/or sale as those terms are defined in Section 409.1-102(26).²
55. The investments that Respondents offered and/or sold constitute securities as that term is defined in Section 409.1-102(28).

² Unless otherwise specified, all statutory references are to the 2016 Revised Statutes of Missouri.

56. At all times relevant to this matter, there was no registration, granted exemption, or notice filing indicating status as a “federal covered security” for the securities offered and sold by Respondents.
57. Respondents offered and sold securities in and/or from Missouri without these securities being (1) a federal covered security, (2) exempt from registration under Sections 409.2-201 or 409.2-203 or (3) registered under the Missouri Securities Act of 2003.
58. At the time Respondents engaged in the conduct set forth above, at least one investor was more than 60-years-old and was an elderly person as that term is defined under Section 409.6-604(d)(3)(B).
59. Respondents offered and sold unregistered securities in violation of Section 409.3-301 and engaged in an illegal act, practice, or course of business and such conduct is therefore subject to the Commissioner’s authority under Section 409.6-604.

Multiple Violations of Transacting Business as an Unregistered Broker-Dealer

60. **THE COMMISSIONER FURTHER DETERMINES** that Respondent Perfection PR transacted business as an unregistered, non-exempt broker-dealer in the state of Missouri by engaging in the business of effecting transactions in securities for the account of others.
61. At all times relevant to this matter, Respondent Perfection PR was not registered as a broker-dealer either with the Securities and Exchange Commission or with the state of Missouri.
62. At the time Respondent Perfection PR engaged in the conduct set forth above, at least one investor was more than 60-years-old and was an elderly person as that term is defined under Section 409.6-604(d)(3)(B).
63. Respondent Perfection PR offered and/or sold securities to investors in and/or from Missouri without being registered or exempt from registration as a broker-dealer in violation of Section 409.4-401(a), and engaged in an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner’s authority under Section 409.6-604.

Multiple Violations of Transacting Business as an Unregistered Agent

64. **THE COMMISSIONER FURTHER DETERMINES** that Respondent McDonald offered and/or sold securities to investors in and/or from Missouri. These activities constitute transacting business in the state of Missouri.
65. At all times relevant to this matter, Respondent McDonald was not registered as an agent in the state of Missouri.

66. At the time Respondent McDonald engaged in the conduct set forth above, at least one investor was more than 60-years-old and was an elderly person as that term is defined under Section 409.6-604(d)(3)(B).
67. Respondent McDonald offered and/or sold securities to investors in and/or from Missouri without being registered or exempt from registration as an agent in violation of Section 409.4-402(a), and engaged in an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner's authority under Section 409.6-604.

Multiple Violations of Employing an Unregistered Agent

68. **THE COMMISSIONER FURTHER DETERMINES** that Respondent Perfection PR employed or associated with Respondent McDonald who offered and sold securities on behalf of Respondent Perfection PR. These activities constitute transacting business in the state of Missouri.
69. At all times relevant to this matter, Respondent Perfection PR had no registration or granted exemption for any agents of Respondent Perfection PR to transact business in and/or from the state of Missouri.
70. At the time Respondent Perfection PR engaged in the conduct set forth above, at least one investor was more than 60-years-old and was an elderly person as that term is defined under Section 409.6-604(d)(3)(B).
71. Respondent Perfection PR employed an unregistered agent who transacted business in and/or from the state of Missouri in violation of Section 409.4-402(d), and engaged in an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner's authority under Section 409.6-604.

Multiple Violations of Offering and Entering into a Prohibited Commodities Contract

72. **THE COMMISSIONER FURTHER DETERMINES** that Respondent McDonald, through Respondent Perfection PR, without being exempt or excluded pursuant to Sections 409.803.2 and 409.806, offered to enter into, entered into, or confirmed the execution of, foreign currency commodity contracts and foreign currency commodity options contracts with MS, MR1, MR2, and MR3, who were all Missouri residents when, among other things, Respondent McDonald, through Respondent Perfection PR, solicited investments in accounts where currency and currency options trading was to occur.
73. This activity constitutes an "offer" or "offer to sell" as that term is defined in Section 409.800(11).
74. Respondent McDonald, through Respondent Perfection PR, offered commodity contracts and commodity options contracts as those terms are defined in Sections 409.800(5) and (9).

75. Respondent McDonald, through Respondent Perfection PR, offered to enter into, entered into, or confirmed the execution of, foreign currency commodity contracts and foreign currency commodity option contracts in violation of Section 409.803.1.
76. The actions of Respondent McDonald, through Respondent Perfection PR, in offering and entering into a prohibited commodities contract constitutes an illegal act or practice and thus such actions are subject to the Commissioner's authority under Section 409.823.

Multiple Violations of Engaging in Unregistered and/or Unlicensed Commodity Merchant Business

77. **THE COMMISSIONER FURTHER DETERMINES** that Respondents engaged in the commodity merchant business without registering with the Commodity Futures Trading Commission as required to qualify as a registered commodity merchant.
78. Respondents' activities constitute engaging in a trade or business or otherwise acting as a commodity merchant as that term is defined in Section 409.800(8).
79. Respondents conducted unregistered commodity merchant business in violation of Section 409.808.1.
80. The action of Respondents in conducting unregistered commodity merchant business constitutes an illegal act or practice and thus such actions are subject to the Commissioner's authority under Section 409.823.

Multiple Violations of Making an Untrue Statement, Omitting to State Material Facts or Engaging in An Act, Practice, or Course of Business that Would Operate as a Fraud or Deceit Upon Another Person in Connection with the Offer or Sale of a Security

81. **THE COMMISSIONER FURTHER DETERMINES** that, in connection with the offer, sale or purchase of a security, Respondent McDonald, through Respondent Perfection PR, made untrue statements of material fact or omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, including, but not limited to, the following:
 - a. omitting to state that McDonald was not registered to offer and/or sell securities in the state of Missouri;
 - b. omitting to state that Perfection PR was not registered to offer and/or sell securities in the state of Missouri;
 - c. omitting to state that McDonald was not a registered commodity merchant;
 - d. omitting to state that Perfection PR was not a registered commodity merchant;
 - e. that MS could achieve 20-50% returns in one month;
 - f. that MR1 could achieve 20% returns;

- g. that MR2 had a 20% return after one month;
 - h. that only 2-4% of an investor's funds would be at risk of being lost;
 - i. that Respondents have "consistently brought a monthly return of 20% on our client's investment.";
 - j. that Perfection PR "has had a 100% success rate with all of our clients, we have brought in a minimum monthly return of 20% or more in profits. With [*sic*] clients ranging from \$10,000 to \$1,000,000 Million [*sic*] plus."; and
 - k. that a client had a 226.5% "gain of profit" in 6 months.
82. At the time Respondents McDonald and Perfection PR engaged in the conduct set forth above, at least one investor was more than 60-years-old and was an elderly persons as that term is defined under Section 409.6-604(d)(3)(B).
83. Respondents McDonald and Perfection PR made an untrue statement of material fact, omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading or engaged in an act, practice, or course of business that would operate as a fraud or deceit upon another person in violation of Section 409.5-501, and engaged in an illegal act, practice, or course of business, and such conduct is, therefore, subject to the Commissioner's authority under Section 409.6-604.
84. An order is in the public interest and is consistent with the purposes of the Missouri Securities Act of 2003. *See* Section 409.6-605(b).

III. ORDER

NOW, THEREFORE, it is hereby ordered that Respondents, their agents, employees and servants, and all other persons participating in or about to participate in the above-described violations with knowledge of this order be prohibited from violating or materially aiding in any violation of:

- A. Section 409.3-301, by offering or selling any securities as defined by Section 409.1-102(28), in the State of Missouri unless those securities are registered with the Securities Division of the Office of the Secretary of State in accordance with the provisions of Section 409.3-301;
- B. Section 409.4-401(a), by transacting business as an unregistered broker-dealer firm;
- C. Section 409.4-402(a), by transacting business as an unregistered agent;
- D. Section 409.4-402(d), by employing an unregistered agent;

- E. Section 409.803, by selling or purchasing, or offering to sell or purchase any commodity contract or any commodity option while not being registered with the applicable regulatory bodies;
- F. Section 409.808.1, by engaging in the trade or business or otherwise acting as a commodity merchant while not being registered or temporarily licensed with the Commodities Futures Trading Commission; and
- G. Section 409.5-501, by, in connection with the offer or sale of securities, making an untrue statement of a material fact or omitting to state a material fact necessary in order to make the statement made, in light of the circumstances under which it is made, not misleading or engaging in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

IV. STATEMENT

Pursuant to Section 409.6-604, the Commissioner hereby states that he will determine whether to grant the Enforcement Section's request for civil penalties in the amount of:

- A. \$15,000 against each Respondent for more than one violation of Section 409.3-301, when at least one of these violations was committed against an elderly person, in a final order, unless Respondents McDonald and Perfection PR request a hearing and show cause why the penalties should not be imposed;
- B. \$15,000 against Respondent Perfection PR for more than one violation of Section 409.4-401(a), when at least one of these violations was committed against an elderly person, in a final order, unless Respondent Perfection PR requests a hearing and shows cause why the penalties should not be imposed;
- C. \$15,000 against Respondent McDonald for more than one violation of Section 409.4-402(a), when at least one of these violations was committed against an elderly person, in a final order, unless Respondent McDonald requests a hearing and shows cause why the penalties should not be imposed;
- D. \$15,000 against Respondent Perfection PR for more than one violation of Section 409.4-402(d), when at least one of these violations was committed against an elderly person, in a final order, unless Respondent Perfection PR requests a hearing and shows cause why the penalties should not be imposed; and
- E. \$15,000 against each Respondent for more than one violation of Section 409.5-501, when at least one of these violations was committed against an elderly person, in a final order, unless Respondents request a hearing and show cause why the penalties should not be imposed;
- F. an order against Respondents to pay, jointly and severally, restitution for any loss, including any actual damages that may have been caused by the conduct, and interest at

the rate of 8% per year from the date of the violation causing the loss or disgorge any profits arising from the violations of Section 409.3-301, 409.4-401, 409.4-402, and 409.5-501, in the final order, unless Respondents request a hearing and show cause why this restitution or disgorgement should not be imposed; and

- G. an order against Respondents to pay, jointly and severally, the costs of the investigation in this proceeding, after a review of evidence of the amount submitted by the Enforcement Section.

Pursuant to Section 409.823, the Commissioner hereby states that he will determine whether to grant the Enforcement Section's request for a civil penalty of up to \$105,000 against each Respondent for more than one violation of Sections 409.803 and 409.808, in a final order, unless Respondents McDonald and Perfection PR request a hearing and show cause why the penalty should not be imposed.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 5th DAY OF DECEMBER, 2018.



JOHN R. ASHCROFT
SECRETARY OF STATE


DAVID M. MINNICK
COMMISSIONER OF SECURITIES



STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE

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c/o Universal Registered Agents, Inc.)	
12 Timber Creek Lane)	
Newark, Delaware 19711)	

NOTICE

TO: Respondents and any unnamed representatives aggrieved by this Order:

You may request a hearing in this matter within thirty (30) days of the receipt of this Order pursuant to Section 409.6-604(b), RSMo 2016, and 15 CSR 30-55.020. Any request for a hearing before the Commissioner must contain:

- a. a brief statement of the facts;
- b. a summary of the factual and legal issues involved;
- c. a request for relief;
- d. suggestions in support of the relief sought, including the relevant statutes;
- e. the name of the party requesting the hearing; and
- f. the name of the attorney representing the party, if any.

Within fifteen (15) days after receipt of a request in a record from a person or persons subject to this order, the Commissioner will schedule this matter for a hearing.

A request for a hearing must be mailed or delivered, in writing, to:

**David M. Minnick, Commissioner of Securities
Office of the Secretary of State, Missouri
600 West Main Street, Room 229
Jefferson City, Missouri, 65102**

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of December, 2018, a copy of the foregoing Order to Cease and Desist in the above styled case was **mailed by certified U.S. mail to:**

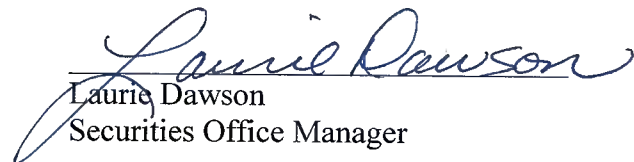
Joshua McDonald
260 Ramsey Street NE
Cleveland, Tennessee 37312

and

Perfection PR Firm, LLC
c/o Universal Registered Agents, Inc.
12 Timber Creek Lane
Newark, Delaware 19711

And hand delivered to:

Steven C. Reed, Director of Enforcement
Securities Division
Missouri Secretary of State's Office
600 West Main Street, Room 229
Jefferson City, Missouri 65101


Laurie Dawson
Securities Office Manager