

State of Missouri
Office of Secretary of State

Case No. AP-07-35

IN THE MATTER OF:
FIRST NEVADA MARKETING, INC.;
LEASTON B. LANDES; and
STEVEN E. GWIN,

Respondents.

Serve First Nevada Marketing, Inc., and
Leatson B. Landes at:

420 Centerview Street
Hot Springs National Park, Arkansas 71913

Serve Steven E. Gwin at:

406 Castlegate Drive
Ozark, Missouri 65721

**FINAL ORDER TO CEASE AND DESIST AND ORDER IMPOSING
CIVIL PENALTIES AND AWARDING COSTS**

On November 15, 2007, the Enforcement Section of the Securities Division, by and through Mary S. Hosmer, Assistant Commissioner of Securities, submitted a Petition for Final Order to Cease and Desist and Payment of Civil Penalties and Costs (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of fact, conclusion of law, and order:

1. On June 15, 2007, the Missouri Commissioner of Securities issued an Order to Cease and Desist and to Show Cause Why Civil Penalties and Costs Should Not Be Imposed (the "Order"). On that same date, notice and a copy of such Order were sent to all Respondents, by certified U.S. Mail, pursuant to Section 409.6-604(b), RSMo. (Cum. Supp. 2006).
2. On June 27, 2007, notices and copies of the Order sent to Respondents First Nevada Marketing, Inc. and Leatson B. Landes were returned "refused" to the Commissioner.
3. On June 28, 2007, Respondents First Nevada Marketing, Inc., Steven E. Gwin and Leatson B. Landes were served with the Order pursuant to Section 409.6-611(b), RSMo. (Cum. Supp. 2006), through service upon the Commissioner, and notice of such service and a copy of the Order were sent to Respondents, via Registered U.S. Mail, at their last known address.
4. On July 11, 2007, notice and copy of the Order sent to Respondent Steven E. Gwin were returned "unclaimed" to the Commissioner.
5. No one has entered an appearance on behalf of any of Respondents First Nevada Marketing, Inc., Leatson B. Landes, or Steven E. Gwin, and the Commissioner has received no contact or communication from any of the same.
6. In its Petition the Enforcement Section of the Securities Division requested a Final Order to Cease and Desist as to all Respondents in this matter.
7. In its Petition the Enforcement Section of the Securities Division requested that Respondents First Nevada Marketing, Inc., Leatson B. Landes, and Steven E. Gwin pay, jointly and severally, the costs of investigation in this matter in the amount of four thousand one hundred and sixty-five dollars (\$4,165).
8. In its Petition the Enforcement Section of the Securities Division requested the Commissioner issue an Order imposing a civil penalty of \$10,000 against each of Respondent First Nevada Marketing, Inc., Respondent Leatson B. Landes, and Respondent Steven E. Gwin for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2006).
9. In its Petition the Enforcement Section of the Securities Division requested the Commissioner issue an Order imposing a civil penalty of \$10,000 against each of Respondent Capital Funding Management, Inc., Respondent Leatson B. Landes and Respondent Steven E. Gwin for multiple violations of Section 409.5-501, RSMo. (Cum. Supp. 2006).

ORDER

NOW, THEREFORE, it is hereby **ORDERED** that:

- A. The Cease and Desist Order entered in Case Number AP-07-40 on July 18, 2007, is **FINAL** as to Respondents First Nevada Marketing, Inc., Leatson B. Landes, and Steven E. Gwin.
- B. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent First Nevada Marketing, Inc., shall pay a civil penalty in the amount of four thousand dollars (\$4,000) to the State of Missouri for multiple violations of Sections 409.3-301, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- C. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent Leatson B. Landes shall pay a civil penalty in the amount of four thousand dollars (\$4,000) to the State of Missouri for multiple violations of Sections 409.3-301, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- D. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent Steven E. Gwin shall pay a civil penalty in the amount of eight thousand dollars (\$8,000) to the State of Missouri for multiple violations of Sections 409.3-301, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- E. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent First Nevada Marketing, Inc., shall pay a civil penalty in the amount of four thousand dollars (\$4,000) to the State of Missouri for multiple violations of Sections 409.5-501, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- F. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent Leatson B. Landes shall pay a civil penalty in the amount of six thousand dollars (\$6,000) to the State of Missouri for multiple violations of Sections 409.5-501, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- G. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2006), Respondent Steven E. Gwin shall pay a civil penalty in the amount of ten thousand dollars (\$10,000) to the State of Missouri for multiple violations of Sections 409.5-501, RSMo. (Cum. Supp. 2006). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, within thirty (30) days of the date of this Order, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondent shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- H. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2006), Respondents First Nevada Marketing, Inc., Leatson B. Landes, and Steven E. Gwin shall pay, within thirty (30) days from the date of service of this Order, the additional sum of four thousand one hundred sixty five dollars (\$4,165) as reimbursement for the costs of the investigation and administration of this matter. Respondents shall be jointly and severally liable for this amount. This amount shall be sent to the Secretary of State and made payable to the Missouri Secretary of State's Investor Education and Protection Fund. Respondents shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- I. Pursuant to Section 409.6-604(f), RSMo., (Cum. Supp. 2006), this matter shall be referred to the Missouri Attorney General's Office to collect the fines and costs described in this Final Order, as necessary.
- J. This Order is in the public interest and is consistent with the purposes intended by the Missouri Securities Act of 2003.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 6th DAY OF DECEMBER, 2007.

ROBIN CARNAHAN
SECRETARY OF STATE

(Signed/Sealed)
MATTHEW D. KITZI
COMMISSIONER OF SECURITIES

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December, 2007, copies of the foregoing Final Order in the above styled case was **mailed by certified U.S. Mail, postage prepaid, to:**

First Nevada Marketing, Inc.
420 Centerview Street
Hot Springs National Park, Arkansas 71913

Leatson B. Landes
420 Centerview Street
Hot Springs National Park, Arkansas 71913

Steven E. Gwin
406 Castlegate Drive
Ozark, Missouri 65721

And hand-delivered to:

Mary Hosmer
Assistant Commissioner
Securities Division

John Hale
Specialist