

State of Missouri
Office of Secretary of State

Case No. AP-07-51

IN THE MATTER OF:

ST. JAMES CREDIT COMPANY; DUSTIN
DELUCA; and LESLIE KOERBER,

Respondents.

**ORDER IMPOSING CIVIL PENALTY AND CHARGING COSTS AGAINST
RESPONDENT DUSTIN DELUCA**

On May 19, 2008, the Enforcement Section of the Securities Division, by and through Mary S. Hosmer, Assistant Commissioner, and Leonard Komen, counsel for Respondent Dustin DeLuca, submitted a Joint Petition for Final Order to Cease and Desist and Request for Hearing on Payment of Civil Penalties and Costs for Respondent Dustin DeLuca (the "DeLuca Petition"). On May 28, 2008, the Commissioner of Securities Matt Kitzi issued a Final Order to Cease and Desist as to Respondents St. James Credit Company and Dustin DeLuca (the "Final Order"). On May 29, 2008, the Commissioner issued a Notice of Hearing as to Petition for Civil Penalties and Costs Against Respondent Dustin DeLuca. The hearing was held on July 23, 2008, and following such hearing and considering the statements made and items presented therein, the Commissioner issues the following order:

PROCEDURAL BACKGROUND

1. In the Final Order, the Commissioner founded and concluded that Respondent DeLuca committed multiple violations of Section 409.3-301, RSMo., and multiple violations of Section 409.5-501(2), RSMo.
2. In the Petition for Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed, filed by the Enforcement Section on September 21, 2007 (the "C&D Petition"), the Enforcement Section requested that the commissioner impose a civil penalty of \$10,000 against Respondent DeLuca for multiple violations of Section 409.3-301, RSMo., and a civil penalty of \$10,000 against Respondent DeLuca for multiple violations of Section 409.5-501(2), RSMo.
3. In the C&D Petition, the Enforcement Section requested that the commissioner impose the costs of the Securities Division's investigation in this matter against the Respondents herein, jointly and severally.
4. In the July 25, 2008 hearing, the Enforcement Section requested that Respondent DeLuca be charged the amount of \$2,500 as costs for the investigation.

ORDER

NOW THEREFORE, it is hereby ordered that:

- A. Pursuant to Section 409.6-604(d), RSMo., Respondent DeLuca shall pay, within sixty (60) days from the date this Order, the total amount of one thousand dollars (\$1,000) to the State of Missouri as civil penalties for multiple violations of Sections 409.3-301 and 409.5-501(2), RSMo. This amount shall be sent to the Secretary of State and made payable to the State of Missouri, 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. Respondents shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- B. Pursuant to Section 409.6-604(e), RSMo., Respondent DeLuca shall pay, within one hundred twenty (120) days from the date of this Order, the amount of one thousand dollars (\$1,000) as reimbursement for the costs of the investigation of this matter. 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.
- C. The Final Order issued May 28, 2008, remains final and in effect, and is in no manner altered or amended by this order other than as is necessary to give effect to the imposition of civil penalties and charging of costs herein.
- D. This Order in no way dismisses or alters the final disposition in this matter as it pertains to Respondent Leslie Koerber or Respondent St. James Credit Company.
- E. 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 5TH DAY OF AUGUST, 2008.

ROBIN CARNAHAN
SECRETARY OF STATE

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

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of August, 2008, a copy of the foregoing ORDER IMPOSING CIVIL PENALTY AND CHARGING COSTS AGAINST RESPONDENT DUSTIN DELUCA, filed in the above-styled case, was mailed by U.S. Mail to:

Joseph D. Sheppard, III
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TRUSTEE IN BANKRUPTCY FOR RESPONDENT ST.
JAMES CREDIT COMPANY

and by hand delivery to:

Mary S. Hosmer
Assistant Commissioner
Enforcement Section, Securities Division

John Hale, Specialist