



### CONSENT TO JURISDICTION

3. Respondents and the Enforcement Section stipulate and agree that the Missouri Commissioner of Securities (“Commissioner”) has jurisdiction over the Respondents and these matters pursuant to the Missouri Securities Act of 2003, Chapter 409, *et seq.*
4. Respondents and the Enforcement Section stipulate and agree that the Commissioner has authority to enter this Order pursuant to Section 409.6-604(h), RSMo. (Cum. Supp. 2011), which provides:

“The commissioner is authorized to issue administrative consent orders in the settlement of any proceeding in the public interest under this act.”

### WAIVER AND EXCEPTION

5. Respondents waive Respondents’ rights to a hearing with respect to this matter.
6. Respondents waive any rights that Respondents may have to seek judicial review or otherwise challenge or contest the terms and conditions of this Order. Respondents specifically forever release and hold harmless the Missouri Office of Secretary of State, Secretary of State, Commissioner, and their respective representatives and agents from any and all liability and claims arising out of, pertaining to, or relating to this matter.
7. Respondents stipulate and agree with the Enforcement Section that, should the facts contained herein prove to be false or incomplete, the Enforcement Section reserves the right to pursue any and all legal or administrative remedies at its disposal.

### CONSENT TO COMMISSIONER’S ORDER

8. Respondents and the Enforcement Section stipulate and agree to the issuance of this Consent Order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.
9. Respondents agree not to take any action or to make or permit to be made any public statement creating the impression that this Order is without factual basis. Nothing in this paragraph affects Respondents’ (a) testimonial obligations; (b) right to take legal or factual position in defense of litigation or in defense of other legal proceedings in which the Commissioner is not a party; or (c) right to make public statements that are factual.
10. Respondents agree that Respondents are not the prevailing party in this action since the parties have reached a good faith settlement.
11. Respondents neither admit nor deny the allegations made by the Enforcement Section, but consent to the Commissioner’s Findings of Fact, Conclusions of Law, and Order as set

forth below solely for the purposes of resolving this proceeding and any proceeding that may be brought to enforce the terms of this Consent Order.

COMMISSIONER'S FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER

I. FINDINGS OF FACT

12. Tag and Tackle Outfitters, LLC (“Tag & Tackle”) is a Missouri corporation organized on March 25, 2012, with a mailing address of 209 Southeast 5<sup>th</sup> street, Concordia, Missouri 64020. Tag & Tackle is an outdoor sporting goods retail store and shooting range. Tag & Tackle’s registered agent for service of process is Daniel Janik with a mailing address of 209 Southeast 5<sup>th</sup> Street, Concordia, Missouri 64020.
13. Daniel Janik is an officer of Tag & Tackle with a mailing address of 209 Southeast 5<sup>th</sup> Street, Concordia, Missouri 64020.
14. Deborah Janik is an officer of Tag & Tackle with a mailing address of 209 Southeast 5<sup>th</sup> Street, Concordia, Missouri 64020.
15. A check of the records maintained by the Commissioner indicates that at all times relevant to this matter, there was no registration, no granted exemption, or notice filing indicating status as a “federal covered security” for the securities offered by Tag & Tackle.
16. A check of the records maintained by the Commissioner indicates that at all times relevant to this matter, Daniel Janik or Deborah Janik were not registered as securities agents with the State of Missouri.
17. As used herein, the term “Respondents” refers to Tag & Tackle, Daniel Janik, and Deborah Janik.
18. In or around August 2012, Respondents purchased a list five hundred thousand (500,000) email addresses from [www.targetaudienceonline.com](http://www.targetaudienceonline.com) and/or [www.targetedemailads.com](http://www.targetedemailads.com).
19. Respondents sent emails to a number of individuals from this email list. These emails stated, among other things:
  - a. Tag & Tackle was “currently seeking to raise \$300,000 USD”;
  - b. Tag & Tackle “anticipated 25% return” on the investment; and
  - c. “we expect this investment opportunity to see full fruition inside of three years.”
20. Between December 5, 2012, and December 18, 2012, Respondents placed a newspaper advertisement in five (5) newspapers publicizing a Tag & Tackle meeting and included Tag & Tackle’s website address of [www.tagandtackle.com](http://www.tagandtackle.com).

21. Between December 9, 2012, and December 15, 2012, Respondents purchased a radio advertisement which was aired on two (2) radio stations. This advertisement, among other things:
  - a. provided an invitation to Tag & Tackle's "investors meeting";
  - b. stated that Tag & Tackle has "a limited number of investment opportunities [available]"; and
  - c. provided the address for the Tag & Tackle website.
22. On December 19, 2012, Respondents held an "investors meeting" at the Concordia Community Center in Concordia, Missouri. Approximately seventeen (17) individuals attended this meeting.
23. At this "investors meeting", Respondents, among other things, offered investments in Tag & Tackle to the attendees.
24. On January 8, 2013, an investigator with the Enforcement Section viewed a section of Tag & Tackle's website labeled "Investment Opportunities." The "Investment Opportunities" page, among other things:
  - a. stated that "[c]urrently there are limited [number of] investment opportunities available;"
  - b. stated that "[a] three year investment potentially yields a 25% return whereby an investor may see profits in excess of \$60,000, \$75,000, or more;" and
  - c. provided a link to Tag & Tackle's executive summary ("Tag & Tackle Executive Summary").
25. The Tag & Tackle Executive Summary set forth, among other things:
  - a. that Tag & Tackle was seeking to raise \$300,000 from a single or multiple investors for the down payment of an "SBA certified loan" in the amount of \$2,325,900;
  - b. that Tag & Tackle would offer a 3-year, 5-year, or 7-year investment plan with anticipated returns between 25% and 35%;
  - c. that the minimum investment amount was \$50,000; and
  - d. that after three years, Tag & Tackle would be worth in excess of four million dollars (\$4,000,000).
26. As of May 10, 2013, the Tag & Tackle Executive Summary and "Investment

Opportunities” portion of the Tag & Tackle website were removed.

27. Daniel Janik and Deborah Janik stated to an investigator that as of May 10, 2013, they had not sold any investments in Tag & Tackle.
28. On May 15, 2013, Daniel Janik and Deborah Janik submitted financial information to the Enforcement Section indicating personal financial hardship and requested monetary leniency regarding this matter.

## II. CONCLUSIONS OF LAW

29. The Commissioner finds Respondents offered unregistered, non-exempt securities and Tag & Tackle employed unregistered agents who transacted business in the state of Missouri and that this conduct constitutes grounds to issue an order pursuant to Section 409.6-604 RSMo. (Cum. Supp. 2011).
30. The Commissioner, after consideration of the stipulations set forth above and on the consent of Respondents and the Enforcement Section, finds and concludes that the Commissioner has jurisdiction over Respondents and this matter and that the following Order is in the public interest, necessary for the protection of public investors and consistent with the purposes intended by Chapter 409, RSMo. (Cum. Supp. 2011).

## III. ORDER

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

1. Respondents, Respondents’ agents, employees and servants, and all other persons participating in the above-described violations with knowledge of this order are permanently enjoined and restrained from offering and selling unregistered, non-exempt securities or employing unregistered agents, in violation of Sections 409.3-301 and 409.4-402 (Cum. Supp. 2011).
2. Respondents shall pay a civil penalty of five thousand dollars (\$5,000), pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2011), for multiple violations of Section 409.402(a), RSMo. (Cum. Supp. 2011). This amount will be suspended provided Respondents comply with the terms of this order and do not violate the securities act for a period of three (3) years.
3. For three (3) years from the execution of this document, the suspended payments in paragraph two (2) immediately above shall become payable, under operation of law, upon Respondents’ failure to comply with the terms of this Consent Order or the Missouri Securities Act following reasonable notice, and such payments shall be in addition to all other penalties then available under the law.
4. Respondents’ are jointly and severally ordered to pay one thousand dollars (\$1,000) as the cost of this investigation. Five hundred dollars (\$500) of this amount will be suspended

provided Respondents comply with the terms of this order and do not violate the securities act for a period of three (3) years. The remaining five hundred dollars (\$500) will be paid in five (5) equal monthly installments of one hundred dollars (\$100) each, which payments shall be due and payable on the fifteenth (15th) day of each month, beginning on June 15, 2013, continuing until this amount is paid in full. If Respondents miss any payment, the full amount remaining shall be immediately due and payable. Respondents are ordered to make such payment by cashier's check or money order made payable to the Missouri Secretary of State's Investor Education and Protection Fund, and deliver or send the payment to the Securities Division at 600 W. Main Street, Jefferson City, Missouri 65101. The Division will send the money to the Missouri Secretary of State's Investor Education and Protection Fund.

5. Respondents shall pay their own costs and attorneys' fees with respect to this matter.

**SO ORDERED:**

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY,

MISSOURI THIS 6th DAY OF JUNE, 2013.



JASON KANDER  
SECRETARY OF STATE

*Andrew M. Hartnett*  
ANDREW M. HARTNETT  
COMMISSIONER OF SECURITIES

Consented to by:  
THE ENFORCEMENT SECTION OF THE  
MISSOURI SECURITIES DIVISION

*M. S. Hosmer*  
Mary S. Hosmer  
Assistant Commissioner of Securities

TAG AND TACKLE OUTFITTERS, LLC

BY: *[Signature]*

NAME: Daniel Janik

TITLE: Owner



DANIEL S. JANIĆ

Respondent



DEBORAH S. JANIĆ

Respondent