

**STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT**

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<b>IN THE MATTER OF: Carl Moose and</b>	)	
<b>Infinity Wind Technology N.A. LLC, its partners,</b>	)	<b>File Number 1100288</b>
members, officers, directors, agents, employees, affiliates,	)	
successors, and assigns, A/K/A	)	
<b>Infinity Wind Technology LLC, its partners,</b>	)	
members, officers, directors, agents, employees, affiliates,	)	
<b>successors, and assigns.</b>	)	

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**NOTICE OF HEARING**

**TO THE RESPONDENTS:** Carl G. Moose (CRD #1729403)  
801 N. Elizabeth, 4 North  
Chicago, Illinois 60622

Infinity Wind Technology N.A., LLC  
Infinity Wind Technology LLC  
Attention: Carl Moose, Manager  
1658 N. Milwaukee Ave. Suite 245  
Chicago, Illinois 60622

You are hereby notified that pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 7<sup>th</sup> day of March, 2012 at the hour of 10:00 a.m. or as soon as possible thereafter, before James Kopecky Esq., or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered pursuant to Section 11.E of the Act prohibiting Respondents Carl G Moose and Infinity Wind Technology N.A. LLC, A/K/A Infinity Wind Technology LLC, and his/its partners, members, officers, directors, agents, employees, affiliates, successors and assigns, from selling or offering for sale securities in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

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### **BACKGROUND FACTS**

1. Carl G. Moose (CRD #1729403) (Respondent "Moose" or collectively with Respondent Infinity Wind Technology N.A., LLC, "Respondents") is a natural person. His last known address is Chicago, Illinois.
2. Infinity Wind Technology N.A. LLC, A/K/A Infinity Wind Technology LLC ("Respondent Infinity." or collectively with Respondent Carl G. Moose, "Respondents") is an Illinois corporation not in good standing. Its last known address is 1658 N. Milwaukee Ave. Suite 245, Chicago, Illinois 60622; however that location is a UPS Store and not an office.
3. Respondent Moose is the Agent, Manager, and founder of Respondent Infinity Wind Technology N.A., LLC at all relevant times herein. His last known home address is Chicago, Illinois.
4. Respondent Moose purchased stock shares from California Energy & Power and placed those shares in Respondent Infinity, as the LLC's sole asset.
5. Respondent Moose touted to investors the potential earning and growth capacity of California Energy & Power with their wind energy products.
6. Respondent Moose offered investors the opportunity to purchase California Energy & Power stock.
7. Respondent Moose sold stock to investors and failed to disclose to investors that he sold investors shares in the Respondent Infinity LLC and not California Energy & Power stock.
8. Respondent Moose sold investors shares in the Respondent Infinity LLC to investors for at least three times the worth of the LLC's only stock asset.
9. Respondent Moose materially misrepresented the potential earnings of the Respondent Infinity LLC to investors.
10. Respondent Moose failed to disclose to investors that he was not licensed as a registered representative.
11. Respondent Moose failed to disclose to investors that Respondent Infinity LLC was not registered to sell securities with the Illinois Secretary of State Securities Department.

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12. Respondent Moose sold to investors that were not accredited investors, not sophisticated investors and to seniors.
13. Respondent Moose manipulated investors to pull their money out of traditional accounts, including but not limited to stock market accounts and IRA accounts.
14. Respondent Moose used investor money he received for the sale of stock in the LLC for his own personal use.
15. That the activities set forth in paragraphs above constitute the offer and sale of stock, and therefore a security, as those terms are defined in Section 2.1, 2.5 and 2.5a of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*

### COUNT I

**815 ILCS 5/12.F violation: Respondents engaged  
in practices in connection with the sale of securities  
that worked a fraud or deceit  
on the purchaser thereof**

- 1-15. Paragraphs 1-15 are re-alleged and incorporated by reference.
16. Respondent made fraudulent and material misstatements to investors regarding the worth of the stock in the LLC.
17. Respondent made misrepresentations to investors in that they purchased the LLC and not California Energy & Power stock.
18. Section 12.F of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions of the Act for any person to “engage in any transaction, practice, or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.”
19. By virtue of the foregoing, Respondents violated Sections 12.F of the Act.

### COUNT II

**815 ILCS 5/12.I violation: Respondent employed a  
scheme to defraud in connection with the sale of securities**

- 1-15. Paragraphs 1-15 are re-alleged and incorporated by reference.
16. Respondent made fraudulent and material misstatements to investors regarding the worth of the stock in the LLC.

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17. Respondent made misrepresentations to investors in that they purchased the LLC and not California Energy & Power stock.
18. Section 12.I of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions of the Act for any person to “employ any device, scheme or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly.”
19. By virtue of the foregoing, Respondents violated Sections 12.I of the Act.

**COUNT III**

**815 ILCS 5/12.G violation: Respondents obtained  
Complainants’ money by making  
untrue statement of material fact  
and omission to state a material fact**

- 1-15. Paragraphs 1-15 are re-alleged and incorporated by reference.
16. Respondent made fraudulent and material misstatements to investors regarding the worth of the stock in the LLC.
17. Respondent made misrepresentations to investors in that they purchased the LLC and not California Energy & Power stock.
18. Section 12.G of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions of the Act for any person to “obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.”
19. By virtue of the foregoing, Respondents violated Sections 12.G of the Act.

**COUNT IV**

**815 ILCS 5/12.A and D violations: Respondents are  
Unregistered Securities.**

- 1-15. Paragraphs 1-15 are re-alleged and incorporated by reference.
16. Respondent offered an unregistered security.
17. Section 12.A of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, (the “Act”) states that it shall be a violation of the provisions of this Act for any person to “offer or sell any security except in accordance with the provisions of this Act.”

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18. Section 5 of the Act provides, *inter alia*, that all securities except those exempt under Section 3 of the Act or those offered and sold in transactions exempt under Section 4 of the Act shall be registered with the Secretary of State prior to their offer or sale in the State of Illinois.
19. Section 12.D of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions of the Act for any person to “fail to file with the Secretary of State any application, report or document under the provisions of this Act or any rule or regulation made by the Secretary of State pursuant to this Act or to fail to comply with the terms of any order of the Secretary of State issued pursuant to Section 11 hereof.
20. Respondents failed to file an application for registration of the above-referenced securities with the Secretary of State and as a result, the securities were not registered pursuant to Section 5 of the Act prior to their offer and sale in the State of Illinois.

**COUNT V**

**815 ILCS 5/12.C violation:**

**UNREGISTERED DEALER/SALESPERSON**

- 1-15. Paragraphs 1-15 are re-alleged and incorporated by reference.
16. Respondent Moose offered and sold stock in the Respondent Infinity LLC.
17. Respondent Moose has never been registered with the Illinois Secretary of State Securities Department to offer or sell securities in the State of Illinois.
18. That 12.C of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to act as a dealer, salesperson unless registered such, where such registration is required under this Act.
19. That at all relevant times, the respondent was not registered as a dealer and/or salesperson under the Act.
20. That by acting as a salesperson and/or dealer in the State of Illinois, without being registered as such, respondent violated section 12.C of the Act.
21. The aforementioned findings are based upon credible evidence.

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You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 ILL. Adm. Code 130)(the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this Notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A link of the Rules, promulgated under the Act and pertaining to hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice. <http://www.cyberdriveillinois.com/departments/securities/lawrules.html>

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 19<sup>th</sup> day of January 2012.

A handwritten signature in black ink that reads "Jesse White" with a stylized flourish at the end.

JESSE WHITE  
Secretary of State  
State of Illinois

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