

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

IN THE MATTER OF:)	
)	
)	
Brian Bodie;)	
Mortgage Desk Inc. , its partners, members,)	
officers, directors, agents, employees,)	File Number: 0800052
affiliates, successors and assigns;)	
Prestar Financial , its partners, members,)	
officers, directors, agents, employees,)	
affiliates, successors and assigns;)	

CONSENT ORDER OF PROHIBITION

TO RESPONDENTS Brian Bodie
 Mortgage Desk Inc.
 Prestar Financial
 3053 W. Palmer Square
 Chicago, Illinois 60647

WHEREAS, Respondents Brian Bodie, Mortgage Desk Inc., and Prestar Financial ("Respondents"), on the 29th day of February, 2012, executed a certain Stipulation to Enter Consent Order of Prohibition (the "Stipulation"), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, Brian Bodie, Mortgage Desk Inc., and Prestar Financial have admitted to the jurisdiction of the Secretary of State and service of the Notice of Hearing of the Secretary of State, Securities Department, dated April 19, 2010, in this proceeding (the "Notice") and Respondent has consented to the entry of this Consent Order of Prohibition ("Consent Order").

WHEREAS, by means of the Stipulation, Brian Bodie, Mortgage Desk Inc., and Prestar Financial have acknowledged that the following Findings of Fact are intended to be a final determination of the issues and Respondents agree that they shall be estopped from making arguments contrary to the Findings of Fact in any collateral proceeding(s).

WHEREAS, by means of the Stipulation, Brian Bodie, Mortgage Desk Inc., and Prestar Financial have acknowledged, without admitting or denying the truth thereof that the following shall be adopted as the Secretary of State's Findings of Fact:

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Count I

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

1. Respondent Brian Bodie ("Bodie"), a natural person, has a last known address in Chicago, Illinois.
2. Respondent Mortgage Desk Inc. was an Illinois Corporation, with the last known address of 3055 West Armitage, Chicago, Illinois; respondent Brian Bodie was the registered agent and the corporation was dissolved August 8, 2008.
3. Respondent Prestar Financial, Inc. ("Prestar ") is an unknown entity with the last known address of 3055 West Armitage, Chicago, Illinois.
4. Beginning in 2003 and continuing through 2009, Respondents offered and sold to Illinois Residents, Promissory Notes (Notes) and Bonds.
5. The Notes and Bonds offered and sold to the Illinois residents promised interest rates between 10.25% and 15% (fifteen) percent interest with varying maturities.
6. The activities described above constitute the offer and sale of a Note, including Installment Notes, Promissory Notes (Notes) and Bonds and therefore a security as those terms are defined in Sections 2.1, 2.5, and 2.5a of the Illinois Securities Law of 1953 [815 ILCS 5/1 *et. seq.*] (the "Act").
7. Section 5 of the Act provides, *inter alia*, that all securities except those exempt under Section 3 or those offered or sold in transactions exempt under Section 4 "shall be registered either by coordination or by qualification prior . . . to their offer or sale" in the State of Illinois.
8. Respondent failed to file with the Secretary of State an application for registration of the securities described above as required by the Act and, as a result, the security was not registered pursuant to Section 5 of the Act prior to its offer in the State of Illinois.
9. Section 12.A of the Act provides, *inter alia*, that it shall be a violation for any person "to offer or sell any security except in accordance with the provisions of the Act."
10. Section 12.D of the Act provides, *inter alia*, that it shall be a violation for any person "to fail to file with the Secretary of State any application, report or document required to be filed under the

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provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.”

11. By virtue of the foregoing, Respondents violated Sections 12.A and 12.D of the Act.

Count II

Violation of 815 ILCS 5/12.F and 12.G

- 1-6. That paragraphs one (1) through six (6) of Count I are re-alleged and incorporated herein.
7. That Respondents offered substantially high interest rates.
8. To date Respondents have failed to repay the investors.
9. That Section 12.F of the Act provides that it shall be a violation 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.
10. That Section 12.G of the Act provides that it shall be a violation 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 the light of the circumstances in which they were made, not misleading.
11. That by virtue of the foregoing, respondent violated Section 12.F and Section 12.G of the Act.

Count III

Violation of 815 ILCS 5/12.C

- 1-6. That paragraphs one (1) through six (6) of Count III are re-alleged and incorporated herein.
7. Through the conduct described in paragraphs three (3) through five (5), the respondent acted as a dealer and/or salesperson for the sale of promissory notes and bonds to investors.
8. 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, investment advisor, or investment advisor representative, unless registered such, where such registration is required under this Act.
9. That at all relevant times, the respondent was not registered as a dealer and/or salesperson under the Act.
10. 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.

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11. The aforementioned findings are based upon credible evidence.
12. Section 11.F(2) of the Act provides, *inter alia*, that the Secretary of State may temporarily prohibit the offer or sale of securities by any person, without notice and prior hearing, if the Secretary of State shall deem it necessary to prevent an imminent violation of the Act or to prevent losses to investors that will occur as a result of prior violations of the Act.

WHEREAS, by means of the Stipulation Respondents have acknowledged that the following shall be adopted as the Secretary of State's Conclusion of Law:

- (1) The Respondent violated Sections 12.A and 12.D of the Act.
- (2) The Respondent violated Sections 12F and 12G of the Act.
- (3) The Respondent violated section 12.C of the Act.

WHEREAS, by means of the Stipulation Respondents have acknowledged and agreed that they shall be PROHIBITED from offering and selling of securities in or from the State of Illinois in compliance with the Illinois Securities Law of 1953 815 ILCS 5/1 et seq. (The "Act").

WHEREAS, by means of the Stipulation Respondents have acknowledged and agreed that they shall be levied costs incurred during the investigation of this matter in the amount of Seven Hundred Dollars (\$700.00). Said amount is to be paid by certified or cashier's check, made payable to the Office of the Secretary of State.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has determined that the matter related to the aforesaid formal hearing may be dismissed without further proceedings.

NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

1. The Respondent shall be PROHIBITED from offering and selling securities in or from the State of Illinois in compliance with the Illinois Securities Law of 1953.
2. The Respondent is levied costs of investigation in this matter in the amount Seven Hundred Dollars (\$700.00), payable to the Office of the Secretary of State, Securities Audit and Enforcement Fund, and on February 29, 2012 has submitted Seven Hundred Dollars (\$700.00) in payment thereof.

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3. The Department shall retain jurisdiction over this proceeding for the sole purpose of enforcing the terms and provisions of the Stipulation herein.
4. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED: This 1st day of March, 2012



JESSE WHITE
Secretary of State
State of Illinois

NOTICE: Failure to comply with the terms of this Order shall be a violation of the Section 12.D of the Act. Any person or entity who fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of the Order, shall be guilty of a Class 4 Felony.

This is a final order subject to administrative review pursuant to the Administrative Review Law, {735 ILCS 5/3-101 et seq.} and the Rules and Regulations of the Illinois Securities Act, {14 Ill. Admin. Code Ch. I, Section 130.1123}. Any action for Judicial Review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

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