

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

IN THE MATTER OF:)

Steven P. Jones)

John P. Acord)

Donald Drabik)

Intermodal Wealth Inc. and its partners,)
members, officers, directors, agents,)
employees, affiliates, successors and)
assigns.)

File No. 11-00304

EcoEnergy Group Inc. d/b/a Intermodal)
Wealth and its partners,)
members, officers, directors, agents,)
employees, affiliates, successors and)
assigns)

Intermodal Lease, Inc. and its partners,)
members, officers, directors, agents,)
employees, affiliates, successors and)
assigns.)

TEMPORARY ORDER OF PROHIBITION

TO THE RESPONDENTS:

Steven P. Jones
1114 Mustang Trail
Kingwood, Texas 77354

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13168 Olde Western
Suite 3
Blue Island, Illinois 60406

4534 Saunders Road
Houston, Texas 77093

John P. Acord
1919 Cattle Drive
Magnolia, Texas 77354

13168 Olde Western
Suite 3
Blue Island, Illinois 60406

Donald Drabik
13168 Olde Western
Suite 3
Blue Island, Illinois 60406

27612 Palomino Drive
Warren, Michigan 48093

Intermodal Wealth, Inc.
C/O Steven Jones, Registered Agent
4534 Saunders Road
Houston, Texas 77093

EcoEnergy Group, Inc. d/b/a Intermodal Wealth
13168 Olde Western
Suite 3
Blue Island, Illinois 60406

Intermodal Lease, Inc.
13168 Olde Western
Suite 3
Blue Island, Illinois 60406

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

FACTS COMMON TO ALL COUNTS

1. Respondent **Steven P. Jones** ("Jones") is a Director and President of EcoEnergy Group, Inc., d/b/a Intermodal Wealth and a Director and Registered Agent of Intermodal Wealth, Inc. His last known addresses are 13168 Olde Western, Suite 3, Blue Island, Illinois 60406, 4534 Saunders Road, Houston, Texas 77093 and 1114 Mustang Trail, Kingwood, Texas 77354.
2. Respondent **John P. Acord** ("Acord") is a Director, Secretary and Chief Financial Officer of EcoEnergy Group, Inc., d/b/a Intermodal Wealth and he is a Director and Secretary of Intermodal Wealth, Inc. His last known addresses are 1919 Cattle Drive, Magnolia, Texas 77354 and 13168 Olde Western, Suite 3, Blue Island, Illinois 60406.
3. Respondent **Donald Drabik** ("Drabik") is the Business Development Specialist of Respondent Intermodal Wealth, Inc. His last known address is 13168 Olde Western, Suite 3, Blue Island, Illinois 60406.
4. Respondent **EcoEnergy Group, Inc. d/b/a Intermodal Wealth** is an Illinois corporation, and its last known address is 13168 Olde Western, Suite 3, Blue Island, Illinois 60406. **Intermodal Wealth, Inc.** is a Republic of Panama corporation, and its last known address is that of its registered agent, Steven P. Jones, at 4534 Saunders Road, Houston, Texas 77093. Both **EcoEnergy Group d/b/a Intermodal Wealth** and **Intermodal Wealth, Inc.** are collectively referred to herein as "Respondent Intermodal Wealth."
5. Respondent **Intermodal Lease, Inc.** is an entity operating under **Intermodal Wealth, Inc.** and its last known address is 13168 Olde Western, Suite 3, Blue Island, Illinois 60406. **Intermodal Lease** operates an internet website. The address of the website is **www.intermodallease.com**.

COUNT I

FRAUD IN THE OFFER AND SALE OF A SECURITY

Failure to Disclose Material Facts

6. Respondents Intermodal Wealth, Intermodal Lease, Inc., Acord, Jones, and Drabik (collectively "Respondents") are offering investments in Intermodal shipping containers.
7. Respondents are making offers containing statements that are materially misleading or otherwise likely to deceive the public by representing that investors should expect guaranteed lucrative returns while failing to disclose the information set forth herein.
8. Respondents represent the terms of the investment as follows:
 - a. Investors purchase the intermodal shipping containers;

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- b. Respondent Intermodal Wealth manages the intermodal shipping containers and leases them to third-party businesses;
 - c. The management and leasing of the intermodal shipping containers purportedly generates a profit;
 - d. Investors who invest less than \$500,000 will receive either a 13% or 13.5% guaranteed annualized return and investors who invest \$500,000 or above will be entitled to a 16.5% return; and
 - e. The guaranteed annualized return will be paid on a quarterly basis to investors who invest less than \$100,000 and on a monthly basis to investors who invest more than \$100,000.
9. Respondent Intermodal Lease offers the following investment on its website:
- “The quick-income-producing opportunities offered by Intermodal Lease make our company one of the best avenues for high income earned via safe, secured, insured equipment purchases with before-tax yields beginning at 13.5% - GUARANTEED.”**
(www.intermodallease.com)
10. In connection with the offer of investments in intermodal shipping containers, Respondents are intentionally failing to disclose one or more material facts, including, but not limited to, the following:
- a. The risks associated with the investments in intermodal shipping containers, including the risk that Respondent Intermodal Wealth will be unable to secure appropriate leases, the consequences associated with the breach of the terms of the leases, and the manner in which economic conditions and other factors may affect the use of intermodal shipping containers; and
 - b. The assets and liabilities of Respondent Intermodal Wealth and/or any other information that reflects its ability to guarantee the return on the investments.
11. The activities described above constitute the offer and sale of 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”).
12. Section 12.A of the Act provides that it shall be a violation for any person to offer or sell any security except in accordance with the provisions of the Act.
13. Section 12.F of the Act states that it shall be a violation of the provisions of this 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.

14. Section 12.G of the Act states that it shall be a violation of the provisions of this 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.
15. Section 12.I of the Act states that it shall be a violation of the provisions of this 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."
16. By virtue of the foregoing, the Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik** violated Sections 12.A, 12.F, 12.G and 12.I of the Act

COUNT II
FRAUD IN THE OFFER AND SALE OF A SECURITY
Failure to Disclose Material Litigation
(Respondents Intermodal Wealth and Acord)

17. In connection with the offer of investments in intermodal shipping containers, Respondents Intermodal Wealth and Acord are intentionally failing to disclose one or more material facts that relate to Respondent Acord, including but not limited to the following:
 - a. "John Delano" is an alias being used by Respondent Acord.
 - b. On or about July 2, 1984, the United States District Court for the Southern District of Florida entered a permanent injunction against Respondent Acord and ordered him to pay \$425,750.00 in fines in SEC v. Monarch Oil & Gas Corporation et. al., No. 82-6833 CIV-WMH.
 - c. On or about October 18, 1990, the United States Court of Appeals for the Ninth Circuit affirmed a felony conviction against Respondent Acord in United States v. Acord 916 F.2d 716 (9th Cir. 1990, unpublished). The appeal came after Acord pleaded guilty to federal crimes related to securities fraud and was sentenced to one ten-year prison term and five 5-year terms.
 - d. On or about February 7, 1996, Respondent Acord was convicted of one count of securities fraud in United States of America vs. John Patrick Acord, Case Number 3:95-CR-121-P, in the United States District Court, Northern District of Texas, Dallas Division. He was thereafter sentenced to serve fifty-one months in federal prison.
 - e. On March 6, 1996, Respondent Acord was permanently enjoined from the use of fraud in the offer for sale and sales of securities and from the offer or sale of unregistered securities in Securities and Exchanged Commission v. John P. Acord et. al., Civil Action No. 3:95-CV-2728-T.

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18. On or about October 14, 2005, Respondent Acord filed a Voluntary Petition for Chapter 7 Bankruptcy Court in the United States Bankruptcy Court for the Southern District of Texas.
19. The Department of Treasury has filed Notices of Federal Tax Liens against Respondent Acord for unpaid balance assessments. The filings reflect.
 - a. An unpaid balance assessment of \$17, 051.03 for the Tax Period ending December 31, 2006;
 - b. An unpaid balance assessment of \$63,744.37 for the Tax Period ending December 31, 2007,
 - c. An unpaid balance assessment of \$23,552.63 for the Tax Period ending December 31, 2008; and
 - d. An unpaid balance assessment of \$4,351.57 for the Tax Period ending December 31, 2009.
20. On or about March 24, 2009, the United States District Court, District of Maryland, entered an Order against Respondent Acord in Young Again Products, Inc. v. John Acord a/k/a John Livingston, et al., Civil No 8.03-CV-02441-RWT. The Court therein ordered.
 - a. That Respondent Acord was permanently enjoined from infringing upon the named plaintiff's trademarks and copyrights.
 - b. The entry of a default judgment against Respondent Acord for \$3,832,832.40 was entered for the benefit of the named plaintiff and against Respondent Acord.
 - c. Respondent Acord was found to be in civil contempt of court and ordered to pay sanctions in the amount of \$24,357.00 for the benefit of the named plaintiff. Respondent was thereafter incarcerated for failure to conform to said sanctions.
21. On or about February 11, 2010, the United States Bankruptcy Court, Southern District of Texas-Houston Division entered a monetary judgment against Respondent Acord in In re: Supplement Spot, L.L.C., Case No. 06-35903-H4-11. The monetary judgment was in the amount of \$1 million plus interest, and was entered in favor of the Chapter 11 Trustee. The monetary judgment arose, in part, from the Trustee's allegations that Respondent Acord:
 - a. Utilized Debtor's assets to pay his personal debts to the detriment of Debtor's creditors;

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- b. Used Debtor's assets to make business investments and purchase properties through a series of entities for the benefit of Respondent Acord and others outside of Debtor's estate; Diverted Debtor's funds both prior to and after Debtor's petition in bankruptcy.
22. Section 12.A of the Act provides that it shall be a violation for any person to offer or sell any security except in accordance with the provisions of the Act.
 23. Section 12.F of the Act states that it shall be a violation of the provisions of this 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.
 24. Section 12.G of the Act states that it shall be a violation of the provisions of this 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.
 25. Section 12 I of the Act states that it shall be a violation of the provisions of this 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."
 26. By virtue of the foregoing, the Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., and John P. Acord**, violated Sections 12.A, 12.F, 12.G and 12.I of the Act

COUNT III

FRAUD IN THE OFFER AND SALE OF A SECURITY

Failure to Disclose Material Litigation

(Respondents Intermodal Wealth and Jones)

27. In connection with the offer of investments in intermodal shipping containers, Respondents Intermodal Wealth and Jones are intentionally failing to disclose one or more material facts that relate to legal actions that involve Respondent Jones, including but not limited to the following:
 - a. On or around November 14, 1996, Respondent Jones was convicted of Transporting in Interstate Commerce a Stolen Motor Vehicle in United States v. Steven Patrick Jones, Case No. 1:97PT17, in the United States District Court for Western District of Michigan. He was sentenced to pay restitution in the amount of \$13,500, serve six months in federal prison, followed by supervised release for a period of three years, conditioned on participation in a narcotics addiction treatment program; Following the sentence:

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- i Respondent Jones was charged and pleaded guilty to a violation of the conditions of supervised release and was sentenced to serve another six months in federal prison followed by supervised release for a period of two years and six months; and
 - ii. Respondent Jones again violated the conditions of supervised release and was sentenced to serve twelve months in federal prison.
 - b. On or about December 31, 2004, Respondent Jones filed for bankruptcy in Case No. 04-15433 and 04-15467, in the United States Bankruptcy Court for the Western District of Michigan.
 - c. On or about August 5, 2010, Respondent Jones filed a Voluntary Petition for Chapter 13 Bankruptcy in Case No 10-35074, in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.
28. Section 12.A of the Act provides that it shall be a violation for any person to offer or sell any security except in accordance with the provisions of the Act.
- 29 Section 12.F of the Act states that it shall be a violation of the provisions of this 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.
30. Section 12.G of the Act states that it shall be a violation of the provisions of this 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
31. Section 12.I of the Act states that it shall be a violation of the provisions of this 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.”
32. By virtue of the foregoing, the Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., and Steven P. Jones** violated Sections 12.A, 12.F, 12.G and 12.I of the Act.

COUNT IV

USE OF UNREGISTERED SALES AGENTS IN THE OFFER AND SALE OF SECURITIES

33. Respondents **John P. Acord, Steven P. Jones, and Donald Drabik, through the website, intermodallease.com,** are offering investments in intermodal shipping containers for a commission.
34. Respondents **John P. Acord, Steven P. Jones, and Donald Drabik** are not registered with the Illinois Secretary of State, Department of Securities as salespersons, agents, brokers, or dealers at any time material hereto.
35. Section 12.C. of the Act states, *inter alia*, that it shall be a violation of the provisions of this Act for any person to act as a salesperson unless registered as such, where such registration is required, under the provisions of this Act.
36. By virtue of the foregoing, Respondents **John P. Acord, Steven P. Jones, and Donald Drabik** violated Section 12.C of the Act.

COUNT V

OFFER AND SALE OF UNREGISTERED SECURITIES

37. 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 qualification prior ... to their offer or sale” in the State of Illinois.
38. Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik** failed to file with the Illinois Secretary of State an application for registration of the securities described above as required by the Act and, as a result, the securities were not registered pursuant to Section 5 of the Act prior to their offer or sale in the State of Illinois.
39. Furthermore, Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik** failed to file any notice filings with the Illinois Secretary of State claiming that the securities being offered were exempt from registration.
40. Section 12 A of the Act provides that it shall be a violation for any person to offer or sell any security except in accordance with the provisions of the Act.
41. 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

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

42. By virtue of the foregoing, the Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik** violated Sections 12.A and 12.D of the Act.

PROHIBITION

43. Section 11.F(2) of the Act provides, *inter alia*, that the Illinois 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.
44. The entry of this **Temporary Order of Prohibition** prohibiting Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik**, their agents, affiliates, successors and employees, from offering or selling securities in the State of Illinois is in the public interest and for the protection of the investing public and is consistent with the purposes intended by the provisions of the Act.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondents **EcoEnergy Group, Inc. d/b/a Intermodal Wealth, Intermodal Wealth, Inc., Intermodal Lease, Inc., John P. Acord, Steven P. Jones, and Donald Drabik** and each of their partners, members, officers and directors, agents, employees, affiliates, successors and assigns, are **Temporarily Prohibited** from offering or selling securities in or from this State for a maximum period of ninety (90) days.

NOTICE is hereby given that the Respondents may request a hearing on this matter by transmitting such request in writing to:

Maria Pavone
Enforcement Attorney
Illinois Securities Department
Office of the Secretary of State
69 West Washington Street, Suite 1220
Chicago, Illinois 60602

Such request must be made within thirty (30) calendar days of the date of entry of the **Temporary Order of Prohibition**. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable. A request for hearing will not stop the effectiveness of this Temporary Order of Prohibition.


FAILURE OF ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND

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SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION FINAL.

Dated this 8th day of November 2012

A handwritten signature in black ink, appearing to read "Jesse White", is written over a horizontal line. To the right of the signature, there is a small, stylized mark that looks like a checkmark or the number "7".

JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State:

Maria Pavone
Enforcement Attorney
Illinois Securities Department
Office of the Secretary of State
69 West Washington Street, Suite 1220
Chicago, Illinois 60602
312-793-3022 Phone
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