

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

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|--------------------------|---|-----------------------------|
| <b>IN THE MATTER OF:</b> | ) |                             |
|                          | ) |                             |
| <b>Mark Borst</b>        | ) | <b>File Number: 1000325</b> |
|                          | ) |                             |
|                          | ) |                             |

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**ORDER OF PROHIBITION**

**TO RESPONDENTS:**      Mark L. Borst  
                                         2115 Ridge Drive  
                                         Lake Geneva, Wisconsin 53147

WHEREAS, the record of the above captioned matter has been reviewed by the Secretary of State or his duly authorized representative;

WHEREAS, the rulings of the Hearing Officer on the admission of evidence and all motions are deemed to be proper and are hereby concurred with by the Secretary of State;

WHEREAS, the proposed Findings of Facts and Conclusions of Law and Recommendation of the Hearing officer, James L. Kopecky, in the above-captioned matter have been read and examined;

WHEREAS, the following proposed Findings of Fact are correct and are adopted by the Secretary of State as follows:

1.     The pleadings and exhibits have been offered and received from the Department and a proper record of all proceedings has been made and preserved as required by law.
2.     The Hearing Officer has ruled on all motions and objections timely made and submitted.
3.     The Hearing Officer and the Secretary of State Securities Department have jurisdiction over the parties herein and subject matter dealt with herein, due and proper notice having been previously given as required by statute in this Matter.

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4. The Department served Respondent with a Notice of Hearing on or about September 24, 2010.
5. The Notice of Hearing included the information required under Section 1102 of the Code.
6. The Secretary of State has jurisdiction over the subject matter pursuant to the Act.
7. On December 27, 2010, the Department served Respondent with the Order of Continuance ordering him to submit an Answer to the Notice of Hearing on or before January 11, 2011, and setting the hearing for January 25, 2011.
8. The Respondent failed to submit an Answer.
9. The Respondent did not appear at the Hearing. That Section 12.D of the Act provides, inter alia, 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 required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
10. That by virtue of the foregoing, the Respondent has committed a violation of Section 12.D of the Act.
11. That Section 11.E(2) of the Act provides, inter alia, if the Secretary of State shall find that any Secretary of State shall find that any person has violated subsection D of Section 12 of this Act, the Secretary of State may by written order permanently prohibit the person from offering or selling any securities in this State.
12. Because the Respondent failed to appear at the time and place set for hearing, in accordance with Section 130.1109, he:
  - (a) waived his right to present evidence, argue, object or cross examine witnesses; or
  - (b) otherwise participate at the hearing.

WHEREAS, the following proposed Conclusions of Law are correct and are adopted by the Secretary of State as follows:

13. Respondent has committed a violation of Section 12.D of the Act, by failing to file with any response to the answer to the 11.C letter thereby committing a violation of Section 12.D of the Act.

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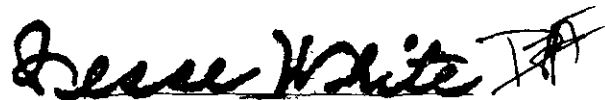
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14. Because of the Findings of this Order and Exhibits admitted as Secretary of State Exhibit Nos. 1-5, The Respondents are subject to the entry of a final written Order that permanently prohibits the Respondents pursuant to Sections 11.E(2) and 11.E(3) of the Act from offering or selling securities in the State of Illinois, imposes a fine pursuant to Section 11.E(4) of the Act not to exceed \$10,000.00 for each violation of the act, and grants such other relief as may be authorized under the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Respondent is permanently prohibited from offering or selling any securities in this State pursuant to Section 11.E(2) of the Act.

Dated: This 23<sup>rd</sup> day of February 2011.



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.

Attorney for the Secretary of State:

Mary A. Lopez  
Enforcement Attorney  
Illinois Secretary of State Securities Department  
69 West Washington Street  
Chicago, Illinois 60602  
312-793-3023