

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

IN THE MATTER OF: Hedge Fund Strategies, Inc. )

FILE NO. 10-00467

**TEMPORARY ORDER OF PROHIBITION**

**TO THE RESPONDENT:** Hedge Fund Strategies, Inc.  
C/o Joseph P. McGivney, Sr.  
9700 W. 197<sup>th</sup> Street  
Suite 109  
Mokena, Illinois 60448

Hedge Fund Strategies, Inc.  
C/o Joseph P. McGivney, Sr.  
5558 Maple Lane  
Midlothian, Illinois 60445

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 finds:

1. That Respondent Hedge Fund Strategies, Inc. is an unincorporated business operating out of 9700 West 197th. in Mokena, Illinois, 60448 using phone number (708) 479-9100.
2. This is the same address and phone number from which Joseph P. McGivney, Sr. (hereinafter, "MCGIVNEY") operated several other businesses. These businesses are named as Respondents together with MCGIVNEY in the Notice of Hearing issued by the Illinois Secretary of State as file number 0600457.
3. That Respondent Hedge Fund Strategies, Inc. offered investment advice and or securities through subscription based programs to profit from the "Inevitable crash in gold prices". Two programs were offered: "Investment Strategies" and "Active Forex Trades."

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4. As part of the sales pitch, the Respondent on the Hedge Fund Strategies, Inc. web site advertises that “This is an investment strategy to unfold over months with a projected profit potential of six to seven thousand dollars per 10 oz. position. Currently a 10 oz. position can be acquired for less than \$300.00 initial margin”. The Respondent made this offer via email and the aforementioned web site to Illinois investors including investors identified in the Notice of Hearing referenced in paragraph 2 above.
5. Investors were solicited to make a one time payment of \$997 or payments by credit card or paypal account of \$100-197 per month over a one year payment.
6. That the Respondent is not registered as an Investment Advisor or Investor Advisor representative. Furthermore, MCGIVNEY has not been registered to offer or sell securities or offer investment advice in the State of Illinois, nor has he been for at least ten years.
7. Additionally, neither Respondent nor MCGIVNEY have registered with the Department the above-referenced programs as securities.
8. That Section 8.A of the Act states, in pertinent part, that every salesperson of securities, investment advisor and investment advisor representative shall be registered as such with the Secretary of State.
9. That Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in conjunction 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, *inter alia*, 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 under which they were made, not misleading.
11. That Section 12.I of the Act provides 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.
12. That by virtue of the foregoing, the Respondent has violated Sections 8.A, 12.F, 12.G and 12.I of the Act.
13. That the aforementioned findings are based upon credible evidence.
14. That 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

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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.


15. That the entry of this Temporary Order prohibiting Respondent, or its agents, affiliates, successors and employees, from offering or selling securities and from offering investment advice 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, Respondent Hedge Fund Strategies, Inc. is **PROHIBITED** from offering or selling securities and from offering investment advice in or from this State until the further Order of the Secretary of State.

NOTICE is hereby given that Respondent may request a hearing on this matter by transmitting such request in writing to the Director, Illinois Securities Department, 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 and will extend the effectiveness of this Temporary Order for sixty days from the date the hearing request is received by the Department.

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

Dated: This 16<sup>th</sup> day of December 2010



JESSE WHITE  
Secretary of State  
State of Illinois

Attorney for the Secretary of State:  
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