

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

\_\_\_\_\_) )  
IN THE MATTER OF: CAPITAL DEVELOPMENT GROUP, )  
LLC, EAG CAPITAL HOLDINGS, INC., THEIR OFFICERS )  
AND DIRECTORS, AGENTS, EMPLOYEES, AFFILIATES, )  
SUCCESSORS AND ASSIGNS, AND ALEX FIELD AND )  
GARY FISHKIN, and EDWARD RENKO, INDIVIDUALLY )  
\_\_\_\_\_)

FILE NO. 0900017

TEMPORARY ORDER OF PROHIBITION

TO RESPONDENTS:      Capital Development Group, LLC  
                                 3100 Dundee Road, Suite 107  
                                 Northbrook, Illinois 60062

                                 EAG Capital Holdings, Inc.  
                                 3100 Dundee Road, Suite 107  
                                 Northbrook, Illinois 60062

                                 Alex Field, President  
                                 EAG Capital Holdings, Inc.  
                                 3100 Dundee Road, Suite 107  
                                 Northbrook, Illinois 60062

                                 Gary Fishkin, Vice-President  
                                 Capital Development Group, LLC  
                                 3100 Dundee Road, Suite 107  
                                 Northbrook, Illinois 60062

                                 Edward Renko, CEO  
                                 EAG Capital Holdings, Inc.  
                                 3100 Dundee Road, Suite 107  
                                 Northbrook, Illinois 60062

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

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premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

1. That Respondent Capital Development Group, LLC., an Illinois Limited Liability Company ("Capital"), maintained a business address at 3100 Dundee Road, Suite 107, Northbrook, Illinois 60062.
2. That Respondent EAG Capital Holdings, Inc., an Illinois Corporation Company ("EAGI"), maintained a business address at 3100 Dundee Road, Suite 107, Northbrook, Illinois 60062.
3. That Respondent Edward Renko, ("Renko") maintained a business address at 3100 Dundee Road, Suite 107, Northbrook, Illinois 60062.
4. That Respondent Alex Field ("Field"), maintained a business address at 3100 Dundee Road, Suite 107, Northbrook, Illinois 60062.
5. That Respondent Gary Fishkin ("Fishkin"), collectively with Respondents Capital, EAG, Renko, and Field ("Respondents") maintained a business address at 3100 Dundee Road, Suite 107, Northbrook, Illinois 60062.
6. That on or about August 1, 2005, or thereabouts, Fishkin a representative of Respondents approached an Illinois resident ("Investor") and pursued a relationship with him for the purpose of selling the Investor a promissory note ("Note") issued by Capital at the price of \$100,000.00 .
7. That in exchange for the \$100,000.00, Fishkin offered the investor the principal back plus interest of twelve per cent per annum compounded quarterly on the one-year anniversary of the Note.
8. That subsequent to the foregoing solicitation, on August 1, 2005 the Investor purchased the Note with the expectation that he would receive a return of twelve per cent (12%) per annum payable compounded quarterly at the end of the term, along with repayment of the principal.
9. That on or about August 1, 2006 Respondents issued a new \$100,000. Note executed by EAG to Investor to replace the maturing Note issued by Capital, for a one year period under the same terms and conditions as the earlier Note; and on about August 2007 EAG renewed Investors' Note for an additional year.
10. That on or about August 1, 2008, Respondents renewed the Investor's Note on slightly different terms after representations by Respondents through Fishkin that EAG was in good financial condition, received additional capital from investors and their large development, the Center for the North Shore in Northbrook, had just been approved.

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11. That in August and September 2008 the Investor left messages in person and via phone requesting payment of the interest accrued on the Note. By October, 2008 the Investor on several occasions had requested Respondents to repay all of the principal and interest pursuant to the terms of the Note.
12. In December, 2008, Respondents advised the Investor that his funds would be available to him in January, 2009. But on January 5, 2009 when the Investor went to Respondents' office they were closed .
13. That the activities described in paragraphs 6 through 10 above constitute the offer and sale of a Note 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] (the "Act").
14. That 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.
15. That Respondents failed to file with the Secretary of State an application for registration of the investment opportunity described above as required by the Act and that as a result the security was not registered pursuant to Section 5 of the Act prior to its offer in the State of Illinois.
16. That 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.
17. That 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 provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
18. That by virtue of the foregoing, Respondents have violated Sections 12.A and 12.D of the Act, and Respondents will violate the Act again if they make further offers, or if they make any sales, of the investment opportunity described above in the State of Illinois.
19. That Section 12.F of the Act provides that it shall be a violation of the Act to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which work or tends to work a fraud or deceit upon the purchaser.
20. That Pursuant to Section 12.G of the Act, it is a violation of the Act 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

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necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

21. That Respondents knew or should have known of risks to EAG's obligation to repay the Investor the promised return in 2008, but failed and refused to disclose such risks to Investor, and to the contrary indicated that EAG was in good financial condition.
22. That by virtue of the foregoing, Respondents have violated Sections 12.F and 12.G of the Act, and Respondents will violate the Act again if they make further offers, or if they make any sales, of the investment opportunity described above in the State of Illinois.
23. That the aforementioned findings are based upon credible evidence.
24. 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 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.
25. That the entry of this Temporary Order prohibiting Respondents, Capital Development Group, EAG Capital Holdings, Inc., Alex Field, Gary Fishkin and Edward Renko, their officers and directors, agents, employees, affiliates, successors and assigns, from offering or selling the above-referenced 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 Capital Development Group, EAG Capital Holdings, Inc., Alex Field, Gary Fishkin and Edward Renko, their officers and directors, agents, employees, affiliates, successors and assigns, are PROHIBITED from offering or selling securities in or from this State until further Order of the Secretary of State.

NOTICE is hereby given that Respondents may request a hearing on this matter by transmitting such request in writing to the Director, Illinois Securities Department, 69 West Washington Street, Suite 1200, 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 BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF

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PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED  
HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS  
TEMPORARY ORDER OF PROHIBITION FINAL.

ENTERED: This 20<sup>th</sup> day of February, 2009.

A handwritten signature in black ink that reads "Jesse White". The signature is written in a cursive style and is positioned above a horizontal line.

JESSE WHITE  
Secretary of State  
State of Illinois

Attorney for the Secretary of State:

Samuel F. Freiman  
Illinois Securities Department  
69 West Washington Avenue  
Suite 1220  
Chicago, Illinois 60602  
Telephone: (312) 793-3988