

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

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IN THE MATTER OF: ALBERT LUKASIK and )  
SALLY LUKASIK dba DRAGON SLAYER )  
INVESTMENT STRATEGISTS. )  
\_\_\_\_\_ )

File No. C0600196

**CONSENT ORDER**

**TO THE RESPONDENTS:** ALBERT JACK LUKASIK  
fka Albert Jack Lucente  
8540 S. Harlem  
Bridgeview, Illinois 60455

WHEREAS, Respondent Albert Jack Lukasik dba Dragon Slayer Investment Strategists on the 26 th day of March, 2008 executed a certain Stipulation and Consent to Entry of Administrative Order ("Stipulation"), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, the Respondent has admitted to the jurisdiction of the Secretary of State and service of the Notice of Hearing of the Secretary of State, Securities Department, dated September 28, 2007 in this proceeding ("Notice") and Respondents have consented to the entry of this Consent Order ("Consent Order").

WHEREAS, by means of the Stipulation, the Respondent has admitted the truth thereof, that the following allegations contained in the Notice of Hearing shall be adopted as the Secretary of State's Findings of Fact:

**COUNT I-SALE OF UNREGISTERED SECURITIES**  
**815 ILCS 5/12(A) and (D)**

1. Albert Jack Lukasik fka Albert Jack Lucente Lukasik ("A. Lukasik ") was the president of Dragon Slayer Investment Strategists and co-owner of Glassart, at all relevant times herein. His last known address is 7603 Ponderosa Court, Orland Park, Illinois 60462.
2. Sally Lukasik aka Sally Lucente ("S. Lukasik") is the vice president of DIS and co-owner of Glassart, at all relevant times herein. Her last known address is 1952 Bittersweet Drive, Saint Anne, Illinois 60450.
3. Dragon Slayer Investment Strategists ("DIS") was, at all times referred to herein, a company whose primary business purported to be day-trading securities in "Dragon Slayer Fund" and various other securities accounts. Its last known address is 252 N. Main Street, Seneca, Illinois 61360.
4. Glassart ("Glassart") was at all time referred to herein, a company whose primary business was the manufacturing and selling of stained glass. Its last known address is 252 N. Main Street, Seneca, Illinois 61360.
5. Investor A and Investor B are residents of the State of Illinois.
6. On or about September 2, 2004, Respondent A. Lukasik solicited Investor A to invest with him, through Respondent DIS. Respondent A. Lukasik told Investor A that he had experience in investing and had worked on the Chicago Board Options Exchange in the mid 1980's, as his qualifications.
7. Investor A gave to Respondent A. Lukasik, a check in the amount of \$7,500.00, to day-trade on his behalf. The check was made payable to Respondent A. Lukasik at A. Lukasik's instruction. Respondent A. Lukasik gave Investor A's check to Respondent S. Lukasik, who deposited it into the bank account of Glassart.
8. Notwithstanding A. Lukasik's assurances that the funds would be used to trade on Investor A's behalf, Investor A's funds were never placed into a trading account. Instead, A. Lukasik and S. Lukasik converted the funds for their own personal use and benefit.
9. Despite having repeatedly asked for a refund from Respondent A. Lukasik and Respondent DIS, Investor A has not received a refund of the monies he invested or any return on his investment.
10. In or around March 2003, Respondents A. Lukasik and S. Lukasik told Investor B that A. Lukasik was very successful in day trading securities and solicited Investor B to invest with them through Respondent DIS.

11. On or about March 17, 2003, Investor B gave to Respondent S. Lukasik, a check in the amount of \$5,000.00, made payable to Glassart, as instructed by Respondent S. Lukasik.
12. Respondent S. Lukasik gave Investor B a receipt from Respondent DIS for the \$5,000.00 investment, which was to be invested in Dragon Slayer Fund.
13. Between May 2003 and February 2004, Respondent A. Lukasik and/or Respondent S. Lukasik provided to Investor B, a series of statements reflecting his investment in "Dragon Slayer Fund":
  - a. On or about May 19, 2003, Investor B received a statement from Respondents dated May 19, 2003 indicated that the account held 100 shares of the "Dragon Slayer Fund" at a value of \$5,500.00.
  - b. On or about July 31, 2003, Investor B received a statement from Respondents dated July 31, 2003 indicated that the account held 100 shares of the "Dragon Slayer Fund" at a value of \$6,000.00.
  - c. On or about October 1, 2003, Investor B received a statement from Respondents dated October 1, 2003 indicated that the account held 100 shares of the "Dragon Slayer Fund" at a value of \$7,000.00.
  - d. On or about October 1, 2003, Investor B received a second statement from Respondents dated October 1, 2003 indicated that the account held 100 shares of the "Dragon Slayer Fund" at a value of \$6,200.00. The second statement did not indicate it was a correction of the earlier statement Investor B received.
14. Notwithstanding the statements Respondents issued, Investor B's funds were never traded in the "Dragon Slayer Fund" on Investor B's behalf. Instead, A. Lukasik and S. Lukasik converted the funds for their own personal use and benefit.
15. Respondents concealed the true nature and extent of the Investors' losses from Dragon Slayer Investment Strategists.
16. Investor B has never received any return on his investment or any refund of the monies he invested.
17. At all relevant times herein, Respondents did at no time establish a trading account under the name of "Dragon Slayer Fund".
18. Between July 2003 and October 2005, Respondents A. Lukasik and S. Lukasik, repeatedly withdrew monies from their various trading accounts and used the funds for their own benefit, not for the investors' benefit.

19. In soliciting funds from investors, Respondent A. Lukasik deliberately made false statements and overstatements regarding his qualifications and experience on the Chicago Board of Trade and/or the Chicago Board Options Exchange.
20. In his deposition on June 21, 2006, Respondent A. Lukasik testified that he had worked on the options floor in the mid 70's at the Chicago Board of Trade and at the Chicago Board Options Exchange, in the capacities of runner and phone clerk. Following which he returned to school, then worked in various occupations, but never in the securities or investment business.
21. In the deposition on June 21, 2006, Respondent A. Lukasik also testified that he had taken and passed both the Series 3 Commodity Futures and Series 7 Securities exams in 1975; however, the records of the National Futures Association (NFA) and the Chicago Board Options Exchange (CBOE) demonstrate his testimony was false, as shown in Count V below.
22. That the activities set forth in paragraphs 1-7 and 10-13 above constitute the offer and sale of an investment contract, and therefore a security, as those terms are defined in Section 2.1, 2.5 and 2.5a of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*
22. Section 12.A of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, (the "Act") states that it shall be a violation of the provisions of this Act for any person to "offer or sell any security except in accordance with the provisions of this Act."
23. Section 5 of the Act provides, *inter alia*, that all securities except those exempt under Section 3 of the Act or those offered and sold in transactions exempt under Section 4 of the Act shall be registered with the Secretary of State prior to their offer or sale in the State of Illinois.
24. Section 12.D of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states 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 under the provisions of this Act or any rule or regulation made by the Secretary of State pursuant to this Act or to fail to comply with the terms of any order of the Secretary of State issued pursuant to Section 11 hereof.
25. Respondents failed to file an application for registration of the Dragon Slayer Fund securities with the Secretary of State and as a result, the securities were not registered pursuant to Section 5 of the Act prior to their offer and sale in the State of Illinois.
26. By virtue of the foregoing, Respondents violated Sections 12.A and 12.D of the Act.

**COUNT II-FRAUD IN THE OFFER OR SALE OF SECURITIES**  
**815 ILCS 5/12.F--Respondents engaged in practices in connection**  
**with the sale of securities that worked a fraud or deceit**  
**on the purchaser thereof**

- 1-26. The Illinois Secretary of State re-alleges and incorporates paragraphs 1 through 26 above as paragraphs 1 through 26 of this Count II.
27. Section 12.F of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions 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.”
28. Paragraphs 1 through 27 allege facts that show conduct by the Respondents that violate Section 12.F of the Act. In particular: Respondents never invested the investors’ funds for the benefit of the investors. Furthermore, (1) Respondent A. Lukasik overstated and misstated his experience and qualifications; (2) Respondents A. Lukasik and S. Lukasik distributed to Investor B fraudulent statements to mislead him into believing that his funds had been invested for the his benefit into “Dragon Slayer Fund”, which in fact was non-existent; and (3) Respondents converted investors funds for their own personal use and benefit.

**COUNT III-OBTAINING MONEY BY UNTRUE**  
**STATEMENTS AND MISLEADING FACTS**  
**815 ILCS 5/12.G--Respondents obtained Complainants’ money**  
**by making untrue statement of material fact**  
**and omission to state a material fact**

- 1-26. The Illinois Secretary of State re-alleges and incorporates paragraphs 1 through 26 above as paragraphs 1 through 26 of this Count III.
27. Section 12.G of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states that it shall be a violation of the provisions 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 light of the circumstances under which they were made, not misleading.”
28. The facts alleged in paragraphs 1 through 27 above, allege facts showing conduct by the Respondents that violate Section 12.G of the Act. In particular:

Respondents A. Lukasik and S. Lukasik misled the investors into believing (1) Respondent A. Lukasik had experience in investing and had worked on the Chicago Board Options Exchange in the mid 1980's; (2) convincing them to allow Respondents to "invest" their funds; (3) overstated their qualification and experience and (4) instead, Respondents converted investors funds for their own personal use and benefit.

**COUNT IV-EMPLOYMENT OF A DEVICE  
OR SCHEME TO DEFRAUD**

**815 ILCS 5/12.H and 12.I--Respondent mailed false statements  
to investors regarding the purported investment in furtherance  
of scheme to defraud**

- 1-26. The Illinois Secretary of State re-alleges and incorporates paragraphs 1 through 26 above as paragraphs 1 through 26 of this Count IV.
27. Section 12.H of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, (the "Act") states that it shall be a violation of the provisions of this Act for any person to "sign or circulate any statement, prospectus, or other paper or document required by any provision of this Act or pertaining to any security knowing or having reasonable grounds to know any material representation therein contained to be false or untrue."
28. Section 12.I of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, states 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."
29. The facts alleged in paragraphs 1 through 28 above, allege facts showing conduct by the Respondents that violate Section 12.H and 12.I of the Act. In furtherance of their scheme to defraud investors, Respondents A. Lukasik and/or S. Lukasik mailed to Investor B false statements regarding the performance of the money Investor B had given to Respondents to invest. Moreover, that Respondents A. Lukasik and S. Lukasik never created a "Dragon Slayer Fund" nor invested Investor B's funds into "Dragon Slayer Fund" and instead used Investor B's funds for their own personal use and benefit.

**COUNT V-EMPLOYMENT OF A DEVICE  
OR SCHEME TO DEFRAUD  
815 ILCS 5/12.E--Respondent made in a report required  
to be filed under the Act, statements which were false  
or misleading with respect to material fact.**

- 1-26. The Illinois Secretary of State re-alleges and incorporates paragraphs 1 through 26 of Count I as paragraphs 1 through 26 of this Count V.
27. In his deposition on June 21, 2006, Respondent A. Lukasik testified that he had worked on the options floor in the mid 70's, at the Chicago Board of Trade and at the Chicago Board Options Exchange, in the capacities of runner and phone clerk.
28. In the deposition on June 21, 2006, Respondent A. Lukasik testified that in 1975, he had taken and passed both the Series 3 Commodity Futures and Series 7 Securities Exams.
29. According to the National Futures Association (NFA), which in the ordinary course of business maintains the records related to results of proficiency examinations concerning the futures industry, Respondent A. Lukasik does not have any record of National Commodities Future Examination results in NFA's possession.
30. According to the Chicago Board Options Exchange (CBOE), which in the ordinary course of business maintains the records related to results of proficiency examinations concerning the securities industry, Respondent A. Lukasik does not have any record of any examination results in CBOE's possession.
31. Section 12.E(1) of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, (the "Act") states that it shall be a violation of the provisions of this Act for any person to "make, or cause to be made, (1) in any application, report or document filed under this Act or any rule or regulation made by the Secretary of State pursuant to this Act, any statement which was false or misleading with respect to any material fact."
32. The facts alleged in paragraphs 1 through 31 of Count V allege facts showing conduct by the Respondent A. Lukasik that violate Section 12.E(1) of the Act. In particular: Respondent A. Lukasik falsely testified under oath, pursuant to a subpoena, to having taken and passed the Series 3 Commodity Futures Exam and the Series 7 Securities Exam.
33. The misstatement alleged in paragraph 27 and 28 of Count V is material in that it relates directly to the statement Respondent A. Lukasik allegedly made at paragraph 6 of Count I and paragraph 28 of Count III, regarding his investing experience.

WHEREAS, Respondent Albert Lukasik has acknowledged and agreed that:

1. Albert Lukasik is permanently prohibited from offering or selling securities to or from the State of Illinois.
2. Albert Lukasik is permanently prohibited from engaging in the business of offering investment advice in or from the State of Illinois.
3. This Consent Order shall be deemed a public document, and Respondent is estopped from denying the Department's findings of fact and conclusions of law as contained in this Consent Order in any subsequent proceeding initiated by any party.
4. Albert Lukasik waives any statute of limitations defense for any claims related to this matter that are initiated within five years of this agreement.

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.

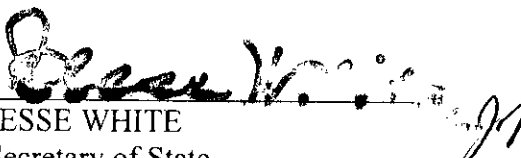
NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

1. Albert Lukasik is permanently prohibited from offering or selling securities to or from the State of Illinois.
2. Albert Lukasik is permanently prohibited from engaging in the business of offering investment advice in or from the State of Illinois.



3. The formal Hearing scheduled on this matter is hereby dismissed without further proceedings.

DATED this 28<sup>th</sup> day of March 2008.

  
JESSE WHITE  
Secretary of State  
State of Illinois