

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

**IN THE MATTER OF: ADAM G. KRUGER and
KRUGER, MILLER AND TUMMILLO**

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FILE NO. 0300896

ORDER OF PROHIBITION

TO RESPONDENTS:

Adam G. Kruger
60 E. Beech, Unit 224
Schaumburg, Illinois

Kruger, Miller and Tummillo, Inc.
301 Jennifer Lane
Roselle, Illinois 60172

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on December 22, 2004 which prohibited Adam G. Kruger and Kruger, Miller and Tummillo, Inc. (the "Respondents") from offering or selling securities in or from the State of Illinois until further order from the Secretary of State or his duly authorized representative;

WHEREAS, pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act"), the failure to request a hearing within thirty (30) calendar days of the entry of the Temporary Order shall constitute an admission of any facts alleged therein and constitute a sufficient basis to make the Temporary Order final.

WHEREAS, the Respondents have failed to request a hearing on the matters contained in the Temporary Order within thirty (30) calendar days of the entry of said Temporary Order and the Respondents are hereby deemed to have admitted the facts alleged in the said Temporary Order.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Findings of Fact contained in the said Temporary Order as the Secretary of State's Findings of Fact as follows:

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SALE OF UNREGISTERED SECURITIES

1. That Adam G. Kruger ("Kruger") is a resident of Illinois and holds himself out as President of Kruger, Miller, and Tummillo, Inc. ("KMT")(collectively "Respondents").
2. Kruger, Miller, and Tummillo, Inc. ("KMT") (collectively with Kruger "Respondents") is or was an unregistered investment adviser operating in the State of Illinois.
3. Respondents raised money from Investors at least one of which was an Illinois resident by telling said investors that Respondents would pool their funds to day trade various securities or to purchase stock in a privately held company.
4. Per Section 2.1 of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") Securities are defined, inter alia, as participating in any profit sharing agreement or investment contracts.
5. That the activities described in paragraphs 2 above constitutes 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 [815 ILCS 5] (the "Act").
6. 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.
7. That Respondents failed to file with the Secretary of State an application for registration of the securities 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.
8. 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.
9. 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.
10. That by virtue of the foregoing, Respondents have violated Sections 12.A and 12.D of the Act.
11. That the aforementioned findings are based upon credible evidence.

UNREGISTERED INVESTMENT ADVISOR/REPRESENTATIVE

12. Respondents, did all of the following:
 - Rendered advice regarding securities
 - Managed the accounts and/or portfolios of clients
 - Solicited and promoted investment in what he called a hedge fund that would purchase shares in a company called Efoura, Inc
 - Accepted fees for such services
13. The activities of the Respondents described in paragraph 11 constitute the activities of an Investment Advisor or an Investor Advisor Representative.
14. Section 8 of the Act provides, inter alia, that all Investment Advisors and Investment Advisors Representatives, except as otherwise provided, shall be registered with the Secretary of State.
15. At all relevant times, Respondents failed to file with the Secretary of State applications for registration as an Investment Advisor or an Investment Advisor Representative.
16. Section 12.C of the Act provides, inter alia, that it shall be a violation for any person to act as an Investment Advisor or Investment Advisor Representative, unless registered as such.
17. 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. By virtue of the foregoing, Respondents have violated Sections 12.C and 12.D of the Act and Respondent will violate them again if they continue to act as an Investment Advisor or Investment Advisor Representative.

FRAUD IN SALE OF SECURITIES

19. Paragraphs 1 through 3 are realleged and incorporated by reference herein.
20. Respondents accepted funds from Investors to deposit into KMT's E*Trade account but instead converted a significant amount of said funds for their own use and benefit, without disclosing to the Investors.
21. Respondents on numerous occasions deceived Investors regarding the worth and status of their accounts particularly relating to investments in Efoura, Inc.

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22. One or more Illinois investors demanded that Respondents close out their account and remit the proceeds to them. Respondents refused such request.
23. Section 12.F of the Act provides that it shall be a violation 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.
24. Section 12.G of the Act provides 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 light of the circumstances under which they were made, not misleading.
25. Section 12.I of the Act provides that 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, Respondent has violated 12.F, 12.G and 12.I of the Act and will violate them again if he makes further offers, or if they make any sales, of the investment opportunity describe above in the State of Illinois.
27. 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.

NOW THEREFORE IT IS HEREBY ORDERED: that pursuant to Section 11.F of the Act, Respondents Adam G. Kruger and Kruger, Miller and Tummillo, Inc., its officers and directors, agents, employees, affiliates, successors and assigns are hereby permanently PROHIBITED from offering or selling securities in or from this State of Illinois.

Dated: This 26th day of August 2005.



JESSE WHITE
Secretary of State
State of Illinois

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NOTICE: Failure to comply with the terms of this Order shall be a violation of Section 12.D of the Act. Any person or entity that fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of this 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, Sec. 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:
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