

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

_____)
IN THE MATTER OF:)
DALE M. MCKAY and)
DM BUSINESS SOLUTIONS and)
EM BUSINESS CONNECTIONS,)
and their partners, officers and directors,)
managers, agents, employees, affiliates,)
successors, assigns and associated companies.)
_____)

No. C1400083

ORDER OF PROHIBITION

**TO THE RESPONDENTS: DALE M. MCKAY
DM BUSINESS SOLUTIONS
EM BUSINESS CONNECTIONS
2942 NORTH 24th STREET #114
BOX 497
PHOENIX, ARIZONA 85016**

AND

**DALE M. MCKAY
DM BUSINESS SOLUTIONS
EM BUSINESS CONNECTIONS
6530 12th STREET #7
PHOENIX, ARIZONA 85014**

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on April 1, 2015 which prohibited Dale M. McKay, DM Business Solutions and EM Business Connections and their partners, officers and directors, agents, employees, affiliates, successors, assigns and associated companies from offering or selling securities in or from the State of Illinois until further order of 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 acts 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 Temporary Order;

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

1. Respondent Dale M. McKay (hereinafter at times "McKay" or together with DM Business Solutions and EM Business Connections "Respondents") has last known addresses of 2942 North 24th Street, #114, Box 497, Phoenix, Arizona 85016; and 6530 12th Street, #7, Phoenix, Arizona 85014.
2. Respondent DM Business Solutions (hereinafter at times "DM" or together with McKay and EM Business Connections "Respondents") has last known addresses of 2942 North 24th Street, #114, Box 497, Phoenix, Arizona 85016; and 6530 12th Street, #7, Phoenix, Arizona 85014.
3. Respondent EM Business Connections (hereinafter at times "EM" or together with DM and McKay "Respondents") has last known addresses of 2942 North 24th Street, #114, Box 497, Phoenix, Arizona 85016; and 6530 12th Street, #7, Phoenix, Arizona 85014.
4. At all relevant times herein set forth Respondent McKay was the controlling officer/member/partner of both DM and EM.
5. In April 2013 Respondents cold called an Illinois resident ("Investor") and offered to procure for Investor, for \$20,000, various lists of underfunded companies ("Companies") that were unable, or had difficulty, securing loans and financing.
6. Respondents promised Investor that Investor would receive income through the efforts of Respondents who would further invest part of the \$20,000 in an enterprise that would generate fees from the underfunded Companies by providing services that would assist the Companies in securing loans or financing.

7. Respondents also promised Investor that Respondents would further invest part of the \$20,000 in an enterprise that would generate fees through the use of credit card terminals to generate income for Investor each time a customer "swipes a credit card".
8. Respondents also promised Investor that Respondents would further invest part of the \$20,000 in an enterprise to employ Automatic Teller Machines, "ATMs" that would generate \$300 income for Investor upon the initial cash withdrawal made by each customer.
9. Investor would not be required to participate in any of the money making plans except to monitor his Company "lists" and oversee his profits on Respondents' website.
10. Respondents guaranteed that Investor would garner profits of approximately \$10,000 per month.
11. On or about April 16, 2013 Investor gave Respondents a cashier's check in the amount of \$20,000 in exchange for Respondents' promise to provide lists, training, assistance and support to and for Investor.
12. Respondents negotiated the Investor's \$20,000 cashier's check and deposited it in their bank account.
13. The activities described above in paragraphs 5-12 constitute the offer and sale of investment contracts, and are 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").

FAILURE TO REGISTER SECURITIES

14. Respondents McKay and DM are "persons" as defined by Section 2.3 of the Act.
15. Section 5 of the Act provides, *inter alia* that all securities except those exempt under Section 3 or those offered and sold under Section 4 shall be registered either by coordination or by qualification prior to their offer or sale in the State of Illinois.
16. 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 securities were not registered pursuant to Section 5 of the Act prior to their offer and sale in the State of Illinois.
17. Section 12.A of the Act provides *inter alia* that it shall be a violation for any person to offer and sell any security except in accordance with the provisions of the Act.

18. 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.
19. By virtue of the foregoing Respondents have violated Sections 12.A and 12.D of the Act.

FRAUD

20. Investor monitored the Company "lists" on Respondents' website, but received no income from Respondents.
21. Rather than use the Investor's money as promised - to invest in enterprises to generate fees from underfunded Companies, and from fees from ATMs and credit card transactions - Respondent McKay converted the \$20,000 and spent the money on his personal expenses.
22. Respondents failed and refused to notify Investor of the risk involved in the purchase of the investment contracts that could result in the loss of the money paid by the Investor, but rather told the Investor that the investment return of \$10,000 per month was "guaranteed".
23. 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 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, *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 light of the circumstances under which they were made, not misleading.
25. Section 12.I of the Act provides, *inter alia*, that it shall be a violation 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".
26. By virtue of the foregoing, Respondents violated Sections 12.F, 12.G and 12.I of the Act and will violate them again if they make further offers, or if they make any sales of investment contracts or other securities described above in the State of Illinois.


NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondents **Dale M. McKay, DM Business Solutions and**

EM Business Connections and their partners, officers and directors, agents, employees, affiliates, successors, assigns and associated companies are **PROHIBITED** from rendering investment advice and from offering or selling securities in or from this State until the further Order of the Secretary of State.

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 for each offence.

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 Act (14 Ill. Admin. Code, Ch. 1 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.

Dated: This 6th day of May 2015.



JESSE WHITE
Secretary of State
State of Illinois

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