

**STATE OF NORTH DAKOTA**  
**SECURITIES DEPARTMENT**

In the Matter of:	)	
First Call Ventures, LLC, a Florida	)	<b>CEASE AND DESIST ORDER,</b>
limited liability company, doing business	)	<b>NOTICE OF CIVIL PENALTY,</b>
as First Call Movers, and Thomas M.	)	<b>AND NOTICE OF RIGHT TO</b>
White,	)	<b>REQUEST A HEARING</b>
Respondents.	)	

.....

**THE SECURITIES COMMISSIONER OF THE STATE OF NORTH DAKOTA TO:**

**FIRST CALL VENTURES, LLC, a Florida limited liability company, doing business as FIRST CALL MOVERS, and THOMAS M. WHITE, RESPONDENTS.**

The North Dakota Securities Commissioner has a reasonable basis to believe that the Respondents have engaged in, are engaging in, or are about to engage in, acts, practices or transactions, as more fully described below, which are prohibited under Chapter 10-04 of the North Dakota Century Code (N.D.C.C.). It is necessary and appropriate in the public interest and for the protection of investors to restrain these acts, practices, or transactions of the Respondents.

1. Respondent, First Call Ventures, LLC, ("First Call") is a Florida limited liability company, doing business as First Call Movers, with its principal address at 2700 West Cypress Creek Road, Suite A110, Ft. Lauderdale, Florida. First Call is not now and has never been registered as an issuer-dealer or broker-dealer in North Dakota.
2. Respondent, Thomas M. White, ("White") is a Florida resident who, for all times relevant to this matter, operated and controlled First Call as President

and Managing Member. Respondent White is not now and has never been registered as an agent with the North Dakota Securities Department.

3. On or about April 20, 2012, Respondents offered for sale, by telephone solicitation and fax communication, Convertible Notes of First Call Ventures, LLC, to at least one resident of Mandan, North Dakota. Said Convertible Notes are securities as defined in N.D.C.C. §10-04-02(19).
4. The subject securities have not been registered with the Securities Department under N.D.C.C. §§ 10-04-07.1, 10-04-08, or 10-04-08.1; are not exempt securities under N.D.C.C. § 10-04-05; and have not been offered for sale or sold in exempt transactions under N.D.C.C. § 10-04-06; and are not federal covered securities or have not been properly filed as federal covered securities under N.D.C.C. § 10-04-08.4. The offer for sale of the subject securities was made in violation of N.D.C.C. § 10-04-04.
5. The Respondent, First Call, was not registered as an issuer-dealer or broker-dealer with the Securities Department and the offer for sale of the subject securities was made in violation of N.D.C.C. § 10-04-10(1).
6. The Respondent, White, was not registered as an agent with the Securities Department and the offer for sale of the subject securities was made in violation of N.D.C.C. § 10-04-10(2).
7. Pursuant to N.D.C.C. § 10-04-16(1), the Securities Commissioner has the authority to Order that a person Cease and Desist from violations of the Securities Act, to rescind transactions made in violation of the Securities Act, and to assess civil penalties in an amount not to exceed \$10,000 for each

violation of the Securities Act or a total of \$30,000 based on the violations described above. The violations described above are sufficient grounds for the Commissioner to assess civil penalties against the Respondents pursuant to N.D.C.C. § 10-04-16 (1).

8. This Order is issued in the public interest and for the protection of investors.

**NOW, THEREFORE, IT IS ORDERED**, pursuant to N.D.C.C. § 10-04-16, that the Respondents shall immediately **CEASE AND DESIST**:

1. From offering for sale or selling in North Dakota the subject securities, or any other securities however denominated, unless and until such securities have been registered with the Securities Department.
2. From offering for sale or selling securities, or effecting transactions in securities, in North Dakota unless and until they have registered with the Securities Commissioner as issuer-dealers, broker-dealers or agents.

This order does not prohibit the offer or sale of securities through exempt securities transactions under N.D.C.C. § 10-04-06, nor does it prohibit registered broker-dealers and agents from offering or selling exempt securities under N.D.C.C. § 10-04-05 or federal covered securities offered pursuant to a notice filing made to the Securities Department pursuant to N.D.C.C. § 10-04-08.4.

**YOU ARE NOTIFIED** that any willful violation of this order is a **Class B Felony** pursuant to N.D.C.C. § 10-04-18(1). Pursuant to N.D.C.C. § 12.1-32-01(3), a **Class B Felony** is punishable by a \$10,000 fine and 10 years' imprisonment, with respect to a natural person. Pursuant to N.D.C.C. § 12.1-

**32-01.1(2), a Class B Felony is punishable by a \$35,000 fine with respect to an organization.**

**YOU ARE FURTHER NOTIFIED that, pursuant to N.D.C.C. § 12.1-09-03, a person is guilty of a criminal offense if that person intentionally “alters, destroys, mutilates, conceals, or removes a record, document, or thing with intent to impair its verity or availability” in an official proceeding. As such, intentional destruction of any documents related to this matter may result in criminal prosecution.**

#### **NOTICE OF CIVIL PENALTIES**

**YOU ARE NOTIFIED** that the above-cited violations are sufficient grounds for the imposition of civil penalties pursuant to N.D.C.C. § 10-04-16(1). The Securities Commissioner does not herein assess a civil penalty, but the Commissioner expressly reserves the authority to assess civil penalties, not to exceed \$10,000 per violation, regarding the violations outlined above, any other violations subsequently discovered, or any future securities violations or violations of this order.

#### **NOTICE OF RIGHT TO REQUEST HEARING**

**YOU ARE NOTIFIED** that pursuant to N.D.C.C. § 10-04-12 you may request a hearing before the Securities Commissioner if such a request is made in writing WITHIN FIFTEEN (15) DAYS AFTER THE RECEIPT OF THIS ORDER. The Respondents have the right to be represented by legal counsel at the hearing.

IN TESTIMONY WHEREOF, witness my hand and seal this 30<sup>th</sup> day of April, 2012.



  
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Karen J. Tyler, Securities Commissioner  
North Dakota Securities Department  
600 East Boulevard Ave.  
State Capitol – Fifth Floor  
Bismarck, ND 58505-0510  
(701) 328-2910

STATE OF NORTH DAKOTA

SECURITIES DEPARTMENT

In the Matter of: )  
First Call Ventures, LLC, a Florida )  
limited liability company, doing business )  
as First Call Movers, and Thomas M. )  
White, )  
Respondents. )

**AFFIDAVIT OF SERVICE  
BY MAIL**

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I, Jacqui Ferderer, being first duly sworn, state that I am a citizen of the United States over the age of twenty-one years and not a party to or interested in the above-entitled proceeding.

On this 14 day of May, 2012, I deposited in the Central Mailing Bureau of the United States Post Office Department in the State Capitol in Bismarck, North Dakota, a true and correct copy of each of the following documents:


**CEASE AND DESIST ORDER, NOTICE OF CIVIL PENALTY,  
AND NOTICE OF RIGHT TO REQUEST A HEARING**

Copies of the above documents were securely enclosed in an envelope with postage duly prepaid, sent via certified mail, return receipt requested, addressed to each of the following:


Thomas M. White  
10340 Majestic Court  
Parkland, FL 33076

First Call Ventures, LLC  
Attn: Thomas M. White, Managing Member  
2700 W. Cypress Creek Road, Suite A110  
Ft. Lauderdale, FL 33309

To the best of my knowledge, information, and belief, the address given above is the last known mailing address for the party intended to be served.

  
Jacquie Ferderer

Subscribed and sworn to before me this 1 day of May, 2012.

  
Diane Lillis, Notary Public  
Burleigh County, North Dakota  
My commission expires 4/26/2014

