

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

BEFORE THE
SECURITIES COMMISSIONER

In the Matter of U.P.A., Inc.

Respondent

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**ORDER FOR AND NOTICE
OF CIVIL PENALTY AND
NOTICE OF RIGHT TO
REQUEST A HEARING**

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WHEREAS, on October 6, 2000, Respondent, U.P.A., Inc., was the subject of a Cease and Desist Order issued by the Commissioner wherein the Commissioner alleged that Respondent engaged in the offer and/or sale of unregistered securities in North Dakota and to North Dakota resident while it was not registered as a dealer in North Dakota; and,

WHEREAS, the Commissioner sent the above-referenced Cease and Desist Order, via certified mail – return receipt, to Respondent and to Respondent’s attorney on October 6, 2000; and,

WHEREAS, the Commissioner received a certified receipt which indicates that Respondent received the Cease and Desist Order on October 10, 2000; and,

WHEREAS, the Commissioner did not receive any request for hearing by or on behalf of Respondent, nor has this office been provided with any information contrary to the Commissioner’s Order dated October 6, 2000.

ORDER FOR AND NOTICE OF CIVIL PENALTY

Now, therefore, the Commissioner hereby reaffirms the allegations as set forth in the Cease and Desist Order dated October 6, 2000 and hereby **Orders that Respondent pay to the Commissioner a civil penalty in the amount of \$30,000.**

NOTICE OF RIGHT TO REQUEST HEARING

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

Dated at Bismarck, North Dakota on this 21 day of November, 2000.



Harold P. Kocher

Harold P. Kocher, Chief Examiner
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