



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

Complaint No. 329450

RICHARD BARTERA
Unregistered

FINE PAYMENT INSTRUCTIONS

The FINE must be received by the Department on or before APRIL 25, 2017. The FINE must be paid by cashier's check or money order, with the Complaint No. clearly indicated on the check or money order, made payable to the State of Michigan, and sent to the address indicated below.

Once the FINE has been overdue for at least six months, it will be referred to the Michigan Department of Treasury for collection. Questions may be directed to Final Order Monitoring staff at (517) 241-9180.

To ensure the proper posting of the payment to your account, please mail the Fine Payment Processing Stub with your payment to:

Michigan Department of Licensing and Regulatory Affairs
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU
Final Order Monitoring – Securities & Audit Division
P.O. Box 30018 – Lansing, MI 48909

FINE PAYMENT PROCESSING STUB
Please return this with your payment.

Make your check or money order drawn from a U.S. financial institution payable to the STATE OF MICHIGAN.
Do not send cash.

Agency C3 ACCOUNT Code
10117

Complaint No.: 329450 _____	Due: APRIL 25, 2017 Total Amount Due: \$40,000.00
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Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

Docket No. 17-000920

In the matter of:

Complaint No. 329450

RICHARD BARTERA
Unregistered

Respondent.

FINAL ORDER

1. This matter came before the Department of Licensing and Regulatory Affairs under the Michigan Uniform Securities Act (2002), MCL 451.2101 *et seq.* (the "Act"), and associated administrative rules.
2. The Director of the Corporations, Securities & Commercial Licensing Bureau, who is the Administrator of the Act (the "Administrator"), received the Proposal for Decision (the "PFD") in accordance with MCL 451.2604 and the Administrative Procedures Act, MCL 24.201 *et seq.* The PFD contained a typographical error, in that it listed the wrong Agency No. in its caption. The correct Agency No. is 329450.
3. The Administrator considered the Findings of Fact and Conclusions of Law in the PFD of Erick Williams, Administrative Law Judge, dated January 26, 2017.
4. The PFD, which adopted the findings of fact and conclusions of law set forth in the Notice and Order to Cease and Desist ("C&D Order") issued by the Administrator in this matter on December 1, 2016, is incorporated by reference with the exception of its recommendation regarding the fine amount and its omission of a violation of MCL 451.2402(1) in its Conclusions of Law.
5. Respondent was found in violation of the Act and/or its associated administrative rules.

THEREFORE, IT IS ORDERED, that the following penalties authorized by section 604(4) of the Act, MCL 451.2604(4), are imposed:

A. Respondent must pay a FINE in the amount of Forty Thousand Dollars and 00/100 Cents (\$40,000.00). The fine is payable to the State of Michigan within sixty (60) days from the mailing date of this Final Order. Complaint No. 329450 must be clearly indicated on the cashier's check or money order, and the payment sent to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial

Licensing Bureau, Final Order Monitoring – Securities & Audit Division, P.O. Box 30018, Lansing, Michigan 48909.

B. Respondents must continue to cease and desist from violating the Act, specifically MCL 451.2301 and MCL 451.2402(1), according to the C&D Order issued and entered in this matter on December 1, 2016.

C. No application for a permit, registration, licensure, relicensure, reinstatement, or renewal submitted by Respondent under the Act will be considered or granted by the Department, until all final orders of the Department are fully complied with.

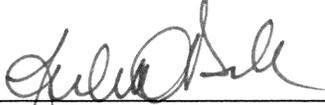
D. Failure to comply with this Order may subject Respondent to additional administrative or criminal sanctions, fines, and/or penalties. Under MCL 451.2508, a person that willfully violates the Act, or an order issued under the Act, is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$500,000.00 for each violation, or both. An individual convicted of violating a rule or order under the Act may be fined, but shall not be imprisoned, if the individual did not have knowledge of the rule or order.

E. Failure to pay the civil fine within six months after this Order becomes final may result in the referral of the fine to the Michigan Department of Treasury for collection action against Respondent.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 24th day of February, 2017.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

By: 
Julia Dale, Administrator and
Corporations, Securities & Commercial Licensing Bureau Director

Date mailed: February 24, 2017

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Final Order Monitoring – Securities & Audit Division
P.O. Box 30018
Lansing, Michigan 48909
Telephone: (517) 241-9180
Fax: (517) 373-8488

This is the last and final page of the Final Order in the matter of Bartera, Richard, Complaint No. 329450.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

In the Matter of:

Complaint No. 329450

RICHARD BARTERA
Unregistered

Respondent.

Issued and entered
This 1 day of December, 2016

NOTICE AND ORDER TO CEASE AND DESIST

Julia Dale, the Director of the Corporations, Securities & Commercial Licensing Bureau (the “Administrator”), pursuant to her statutory authority and responsibility to administer and enforce the Michigan Uniform Securities Act (2002), 2008 PA 551, as amended, MCL 451.2101 *et seq.* (“Securities Act”), hereby orders Richard Bartera (“Respondent”) to cease and desist from offering or selling unregistered securities, and from acting as an unregistered agent, contrary to the Securities Act. Respondent is also notified of the opportunity to request a hearing in this matter.

I. BACKGROUND

A. The Respondent

1. Richard Bartera is an individual whose last known address was in Los Angeles, California. Respondent represented Patriots Energy Group, Inc. the offer or sale of securities.

B. Findings of Fact

1. The Bureau conducted an investigation of Respondent’s Activities.
2. The investigation developed evidence that Respondent represented Patriots Energy Group, Inc. in offering to sell securities to a Michigan investor, IT, in the form of an investment contract in or around April of 2015. The security was not registered pursuant to the Securities Act, and Respondent has not identified any exemption from registration applicable

to the offer to sell the Patriots Energy Group, Inc. securities. (Exhibit 1 – Correspondence Offering Investment; Exhibit 2 – Patriots Energy Group, Inc. Cease and Desist Order, CN 329442).

3. Richard Bartera is not registered or exempt from registration as an agent pursuant to the Securities Act in Michigan.
4. Investor IT was sixty years of age or older at the time of the 2015 investments.

II. RELEVANT STATUTORY PROVISIONS

1. Section 102c(c) of the Securities Act, MCL 451.2102c(c) defines “Security”, in part, as:

a note; stock; treasury stock; security future; bond; debenture; evidence of indebtedness; certificate of interest or participation in a profit-sharing agreement; collateral trust certificate; preorganization certificate or subscription; transferable share; investment contract; voting trust certificate; certificate of deposit for a security; fractional undivided interest in oil, gas, or other mineral rights; put, call, straddle, option, or privilege on a security, certificate of deposit, or group or index of securities, including an interest in or based on the value of that put, call, straddle, option, or privilege on that security, certificate of deposit, or group or index of securities, put, call, straddle, option, or privilege entered into on a national securities exchange relating to foreign currency, an investment in a viatical or life settlement agreement; or, in general, an interest or instrument commonly known as a “security”; or a certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing...

2. Section 301 of the Securities Act, MCL 451.2301, states:

A person shall not offer or sell a security in this state unless 1 or more of the following are met:

- (a) The security is a federal covered security.
- (b) The security, transaction, or offer is exempted from registration under sections 201 to 203.
- (c) The security is registered under this act.

3. Section 402(1) of the Securities Act, MCL 451.2402(1), states:

(1) An individual shall not transact business in this state as an agent unless the individual is registered under this act as an agent or is exempt from registration as an agent under subsection (2).

4. Section 503(1) of the Securities Act, MCL 451.2503(1), states:

In a civil action or administrative proceeding under this act, a person claiming an exemption, exception, preemption, or exclusion has the burden to prove the applicability of the exemption, exception, preemption, or exclusion.

III. CONCLUSIONS OF LAW

1. Respondent Richard Bartera offered or sold Patriots Energy Group, Inc. securities that were not federally covered, exempt from registration, or registered, in violation of section 301 of the Securities Act, MCL 451.2301.
2. Respondent Richard Bartera represented Patriots Energy Group, Inc. in effecting sales of the issuer's securities without the benefit of registration or a properly-claimed exemption from registration, in violation of section 402(1) of the Securities Act, MCL 451.2402(1).

IV. ORDER

IT IS THEREFORE ORDERED, pursuant to section 604 of the Securities Act, MCL 451.2604, that:

- A. Respondent shall immediately CEASE AND DESIST from offering or selling unregistered securities, and from acting as an unregistered agent, contrary to the Securities Act.
- B. Pursuant to section 604(2) of the Securities Act, this Notice and Order to Cease and Desist is IMMEDIATELY EFFECTIVE.
- C. In her Final Order, the Administrator, under section 604(4) of the Securities Act, MCL 451.2604(4), intends to impose a civil fine of \$40,000.00 against Respondent.
- D. Pursuant to section 508 of the Securities Act, MCL 451.2508, a person that willfully violates the Securities Act, or an order issued under the Securities Act, is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$500,000.00 for each violation, or both. An individual convicted

of violating a rule or order under this act may be fined, but shall not be imprisoned, if the individual did not have knowledge of the rule or order.

V. NOTICE OF OPPORTUNITY FOR HEARING

Section 604 of the Securities Act, MCL 451.2604, provides that Respondent has 30 days beginning with the first day after the date of service of this Notice and Order to Cease and Desist to submit a written request to the Administrator asking that this matter be scheduled for a hearing. If the Administrator receives a written request in a timely manner, the Administrator shall schedule a hearing within 15 days after receipt of the request. The written request for a hearing must be addressed to:

Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division
P.O. Box 30018
Lansing, MI 48909

VI. ORDER FINAL ABSENT HEARING REQUEST

A. Under section 604 of the Securities Act, MCL 451.2604, the Respondent's failure to submit a written request for a hearing to the Administrator within 30 days after the service date of this **NOTICE AND ORDER TO CEASE AND DESIST** shall result in this order becoming a **FINAL ORDER** by operation of law. The **FINAL ORDER** includes the imposition of the fines cited described in section IV.C., and the fine amounts set forth below will become due and payable to the Administrator within sixty (60) days after the date this order becomes final:

\$40,000.00 – Richard Bartera, under section 604 of the Securities Act, MCL 451.2604.

B. CIVIL FINE payments should be payable to the STATE OF MICHIGAN and contain identifying information (e.g., names and complaint numbers) and mailed to the following address:

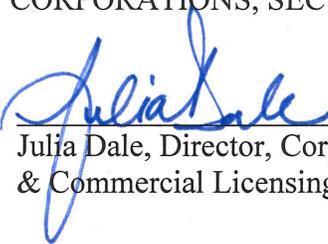
Corporations, Securities & Commercial Licensing Bureau
Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909

C. Failure to comply with the terms of this Order within the time frames specified may result in additional administrative penalties, including the summary suspension or continued suspension of all registrations held by Respondent under the Securities Act, the denial of any registration renewal, and/or the denial of any future applications for registration, until full compliance is made. Respondent may voluntarily surrender or

withdraw a registration under the Securities Act; however, the surrender or withdrawal will not negate the summary suspension or continued suspension of the relevant registrations or any additional administrative proceedings if a violation of this Order or the Securities Act occurred.

- D. Failure to pay the civil fines within six (6) months after this Order becomes final may result in the referral of the civil fines to the Michigan Department of Treasury for collection action against Respondents.

CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU



Julia Dale, Director, Corporations, Securities
& Commercial Licensing Bureau

12/1/16
Date