

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)	
)	ADMINISTRATIVE ORDER
TOM MANN OUTDOORS, INC.;)	NO. CD-2006-0012
TOM & TINA OUTDOORS;)	
ANNIE B. MANN;)	
SUZANNE NEWSOM;)	
CARL V. JONES;)	
ROBERT P. RESTA;)	
HERBERT J. LOERCH;)	
WAYNE H. GILLIS;)	
TINA BOOKER)	
<u>RESPONDENTS</u>)	

CEASE AND DESIST ORDER

The Alabama Securities Commission ("Commission"), having the power to administer and provide for the enforcement of all provisions of Title 8, Chapter 6, *Code of Alabama 1975*, the Alabama Securities Act ("Act"), upon due consideration of the subject matter hereof, and having confirmed information of the offers for sale and/or sale of securities, into, within or from the State of Alabama, has determined as follows:

RESPONDENTS

1. TOM MANN OUTDOORS, INC. ("TMO") is reported to be an Alabama business with a business address of 1933 N. Eufaula Avenue, Eufaula, AL 36027. The registered agent's address is Route 2, Box 84 C, Eufaula, AL 36027.
2. TOM & TINA OUTDOORS ("T & T OUTDOORS") is reported to be an Alabama business with a business address of 1933 N. Eufaula Avenue, Eufaula, AL, 36027. The registered agent's address is Route 2, Box 84C, Eufaula, AL, 36027
3. ANNIE B. MANN is represented to be the co-founder of TMO, with a home address of 1933 N. Eufaula Avenue, Eufaula, AL 36027.
4. SUZANNE NEWSOM is represented to be a principal of TMO and the registered agent of the corporation with a business address of Route 2, Box 84C, Eufaula, AL, 36027.
5. CARL V. JONES is represented to be a principal of TMO with a business

address of Route 2, Box 84C, Eufaula, AL, 36027.

6. ROBERT P. RESTA is represented to be a principal of TMO with a business address of Route 2, Box 84C, Eufaula, AL, 36027

7. HERBERT J. LOERCH is represented to be a principal of TMO with a business address of Route 2, Box 84C, Eufaula, AL, 36027.

8. WAYNE H. GILLIS is represented to be a principal of TMO with a business address of Route 2, Box 84C, Eufaula, AL, 36027.

9. TINA BOOKER with a home address of 7791 Wilshire Road, Pensacola, FL, 32526 was a co-host of Tom & Tina Outdoors (a television show). Documents reviewed also indicate she received 10,000 shares of gifted stock of TMO.

STATEMENT OF FACTS

10. The Commission is in receipt of information that indicates that between the years 2000 through 2005, TMO through its agent or agents, made general solicitations for investments in securities into and from the State of Alabama.

11. Counsel for TMO and T & T OUTDOORS provided the Commission with information that indicates that there were approximately 45 shareholders who invested in the offering.

12. A search of the Secretary of State's Office disclosed no record of incorporation of T & T OUTDOORS.

13. A search of the records of the Commission reveals no registration of the offering for TMO.

14. Review of the files of the Registration Division of the Alabama Securities Commission, disclosed no record of registration for TMO and T & T OUTDOORS as broker dealers in the State of Alabama.

15. Review of the files of the Registration Division of the Alabama Securities Commission, disclosed no record of registration for Annie Mann, Suzanne Newsom, Carl V. Jones, Robert P. Resta, Herbert J. Loerch, Wayne H. Gillis and Tina Booker as registered agents in the State of Alabama.

16. The Commission directed TMO to conduct a rescission offer to the investors. On August 6, 2005, a rescission offer was made to investors in accordance with § 8-6-19, *Code of Alabama 1975*. However, the Commission has been informed that the company has no money with which to refund the investments requested by the investors.

CONCLUSIONS OF LAW

17. The shares of TMO are securities, as defined by the Alabama Securities Act, and are not registered in the State of Alabama. The offer and/or sale of an unregistered security, within or into the state of Alabama is a violation of § 8-6-4, *Code of Alabama 1975*.

18. TMO and T & T OUTDOORS are not registered in the State of Alabama as broker dealers. Conducting securities transactions in the State of Alabama as a dealer or agent while unregistered is a violation of § 8-6-3, *Code of Alabama 1975*.

19. Annie Mann, Suzanne Newsom, Carl V. Jones, Robert P. Resta, Herbert J. Loerch, Wayne H. Gillis and Tina Booker are not registered agents pursuant to § 8-6-4, *Code of Alabama 1975*.

20. Respondents have effected securities transactions in the State of Alabama without benefit of registration as a dealer or agent in the state of Alabama.

21. It is unlawful for any person to offer or sell any security in the State of Alabama unless the security is registered under the Act, the security is exempt under § 8-6-10 of the Act or the transaction in which the security is sold is exempt under § 8-6-11 of the Act or Rule 506 of Regulation D promulgated under the Securities Act of 1933 and the Statement of Policy of the Commission with respect thereto.

22. Pursuant to § 8-6-3, *Code of Alabama 1975*, it is unlawful to employ an agent to

transact securities business in the State of Alabama unless the agent is registered as a Securities Agent or Dealer under the Act, or an appropriate exemption from such registration is available.

This Order does not prevent the Alabama Securities Commission from seeking such other civil or criminal remedies that are available to it under the Act.

This Order is appropriate in the public interest for the protection of investors and is consistent with the purposes of the Act.

ACCORDINGLY, IT IS HEREBY ORDERED that RESPONDENTS immediately **CEASE AND DESIST** from further offers or sales of any security into, within or from the state of Alabama.

Entered at Montgomery, Alabama, this 9th day of March, 2006.



ALABAMA SECURITIES COMMISSION
770 Washington Avenue, Suite 570
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(334) 242-2984

BY:

A handwritten signature in black ink, appearing to read "Joseph P. Borg", is written over a horizontal line. The signature is stylized and somewhat cursive.

JOSEPH P. BORG
Director