

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
4J FINANCIAL SERVICES, LLC)
WINSTON ROSS) NO. CD-2004-0024
RESPONDENTS)

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. 4J FINANCIAL SERVICES is a Florida Limited Liability Company with a business address of 2341 Wekiva Ridge Road, Apopka, FL 32712.
2. WINSTON ROSS is the registered agent of RESPONDENT 4J FINANCIAL SERVICES, with a business address of 2341 Wekiva Ridge Road, Apopka, FL 32712.

STATEMENT OF FACTS

3. On February 18, 2003, RESPONDENT WINSTON ROSS acting as an agent of RESPONDENT 4J FINANCIAL SERVICES, offered and sold an investment contract entitled "Contractual Agreement" to an Alabama resident for \$10,000.00.

4. That investment contract states, in part, "The amount of this investment is \$10,000.00 US. The return on the investment will be 10% per month Simple Interest for 15 months at which time the Principal will be returned."
5. On June 22, 2003, RESPONDENT WINSTON ROSS authored a letter sent to the Alabama resident that stated in part " We again apologize for the delay in the monthly interest payments. We are in the process of regrouping and restructuring our strategies and methods to insure a solid foundation for everyone".
6. On August 14, 2003, Respondent Winston Ross again authored a letter sent to Alabama residents that stated in part "We regret to inform you that on July 22 in Memphis Tennessee there was a major storm depicted with winds of over 95 MPH. A major power outage which shut down the city of Memphis...Clients should expect to see payments within a two week time frame".
7. The Alabama resident has received no further correspondence from the RESPONDENTS nor has he received any further return on his investment.
8. A review of the Registration Files of the Alabama Securities Commission revealed no registration or exemption from registration for the securities of RESPONDENT 4J FINANCIAL SERVICES.
9. A review of the Registration Files of the Alabama Securities Commission revealed no registration for RESPONDENT WINSTON ROSS.

CONCLUSIONS OF LAW

10. The Contractual Agreements offered and sold by RESPONDENTS are investment contracts and are securities as defined by Section 8-6-2(10),

Code of Alabama 1975.

11. The Contractual Agreements offered and sold by RESPONDENTS are neither registered nor exempt from registration in the state of Alabama.
12. The sale of unregistered securities in the state of Alabama is a violation of Section 8-6-4(a), Code of Alabama 1975., which states "**It is unlawful for any person to offer or sell any security in this state unless:**
 - (1) **It is registered under this article;**
 - (2) **The security is exempt from registration under Section 8-6-10; or**
 - (3) **The transaction is exempt under Section 8-6-11".**
13. The RESPONDENTS are not registered agents or broker dealers in the state of Alabama.
14. The sale of securities by an unregistered dealer or agent in the state of Alabama is a violation of Section 8-6-3(a), Code of Alabama 1975., which states "**It is unlawful for any person to transact business in this state as a dealer or agent for securities unless he is registered under this article. It is unlawful for any dealer or issuer to employ an agent unless the agent is registered.**"
15. The course of business outlined above is a violation of Section 8-6-17 (a), Code of Alabama 1975., which states "**It is unlawful for any person, in connection with the offer, sale, or purchase of any security, directly or indirectly, to:**
 - (1) **Employ any device, scheme, or artifice to defraud;**

(2) Make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or

(3) Engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person".

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 25 day of October, 2004.

ALABAMA SECURITIES COMMISSION
770 Washington Avenue, Suite 570
Montgomery, AL 36130-4700
(334) 242-2984

BY:

JOSEPH P. BORG
Director

