

STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION

IN THE MATTER OF:)
)
SERVICE INTERNATIONAL,)
INC.)
S&W PROPERTIES, LLC.) ADMINISTRATIVE ORDER
SBJ JOINT VENTURES) NO. CO-2002-0027
GRAND OAKS)
JOHN SEIBERT)
PEGGY SEIBERT)
SHARON NEWBILL EUBANKS)
)
RESPONDENTS)

CONSENT 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. SERVICE INTERNATIONAL, INC. ("RESPONDENT SERVICE") is an Alabama Company, with a business address of 1110 Hill Crest Road, Suite 2-B Mobile, Alabama, 36695.
2. S&W PROPERTIES, LLC. ("RESPONDENT S&W") is an Alabama Company, with a business address of 1110 Hill Crest Road, Suite 2-B Mobile, Alabama, 36695.
4. GRAND OAKS ("RESPONDENT OAKS") is an Alabama Company, with a business address of 1110 Hill Crest Road, Suite 2-B Mobile, Alabama, 36695.

5. JOHN H SEIBERT ("RESPONDENT J. SEIBERT"), was President of Service International, Inc., Grand Oaks and S&W Properties. During all times relevant to this complaint J. Seibert acted as an Agent of Grand Oaks, Service International and S&W Properties with a business address of 1110 Hill Crest Road, Suite 2-B Mobile, Alabama, 36695.

6. PEGGY SEIBERT ("RESPONDENT P. SEIBERT") is the wife of J. Seibert and the bookkeeper of Service International Grand Oaks and S&W Properties. During all times relevant to this complaint P. Seibert acted as an Agent of Grand Oaks S&W Properties and Service International with a business address of 1110 Hillcrest Road, Suite 2-B Mobile, Alabama, 36695.

STATEMENT OF FACTS

7. J. SEIBERT and P. SEIBERT both Alabama residents engaged in the offer and/or sale of securities, to wit: promissory notes of SERVICE INTERNATIONAL, INC. and S&W PROPERTIES, LLC. and GRAND OAKS to investors.

8. On December 20, 2002, Cease and Desist Order # CD-2002-0027 was issued to RESPONDENTS alleging the violation of Section 8-6-4 and 8-6-3(a), Code of Alabama 1975, by selling unregistered securities in the state of Alabama while being unregistered as a Dealer or Agent.

9. On March 31, 2003, an informal hearing was held at the office of the Commission. In attendance were John & Peggy Seibert along with their Attorneys Michael Waters, and Riley Robie. The Commission was represented by Susan Anderson Deputy Director, Randal McNeil Deputy Attorney General, John M. Foley Manager of Investigations and Special Agent Rossie Peters.

10. The hearing determined that Sharon Eubanks, an Agent of Service International, Inc., S&W Properties and Grand Oaks solicited investors and directed S&W Properties to issue 7 promissory notes totaling \$825,000. Service International in turn was directed to issue 19 notes in the amount of \$600,337 and Grand oaks issued 1 promissory note totaling \$35,000. The Seibert's issued the promissory notes from the office of Service International, Inc. S&W Properties, and Grand Oaks located in Mobile, AL. The Seiberts issued repayment checks to investors from S&W Properties, Service International and Grand Oaks then gave them to Eubanks to distribute. Eubanks then forged the names of the investors and deposited the checks into her deceased mother account, and utilized the money for her own personal use.

9. A parallel investigation by the FBI revealed that Eubanks has been arrested and charged with Theft 1st degree and forgery involving the aforementioned repayment checks.

10. The Seiberts were apparent not aware of Eubanks fraudulent activity to deceive investors, no evidence was found that the Seibert profited from Eubanks fraudulent activity.

11. The Seibert's have paid all investors the full amount of their investment funds.

CONCLUSIONS OF LAW

11. RESPONDENTS are neither registered nor exempt from registration as a Dealer or Agent in the state of Alabama, and have effected securities transactions with residents of the state of Alabama.

12. Transacting business in the state of Alabama as a Dealer or Agent, without benefit of registration or exemption from registration, is a violation of Section 8-6-3(a), Code of Alabama 1975.

13. The securities of Service International, Inc., S&W Properties and Grand Oaks that were issued by J. Seibert and P. Seibert were not registered, nor exempt from registration. The sale of unregistered non-exempt securities into, within or from the state of Alabama is a violation of Section 8-6-4, Code of Alabama 1975.

WHEREAS, RESPONDENTS admit that a sale of securities was effected, and state that the information and assertions presented to the commission during its investigation of this matter are true and correct; that RESPONDENTS understand the Commission relied upon such information and assertions in its determination to accept this Order and that should information or assertions prove to be incorrect or misrepresented, the Commission may seek such other administrative civil or criminal remedies that may be available to it under the provisions of the Act.

WHEREAS, the Commission finds this Order necessary and appropriate in the public interest for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the Act, and

WHEREAS, the Commission and RESPONDENTS are desirous of settling this matter as hereafter set forth and agree to the entry of this Order.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. That RESPONDENTS shall, until such time as properly registered in the state of Alabama, refrain from effecting securities transactions into, within or from the state of Alabama.

2. That in accordance with Section 8-6-19(j)(1), Code of Alabama 1975, RESPONDENTS shall pay to the **state of Alabama** an administrative assessment in the total sum Five Hundred Dollars (\$500), said funds to be tendered in certified funds contemporaneously with the entry of this Order.

3. That in accordance with Section 8-6-19(k)(1), Code of Alabama 1975, RESPONDENTS shall pay to the **Alabama Securities Commission**, as partial reimbursement for the Commission's cost for investigating this matter, the sum of Five Hundred Dollars (\$500), said funds to be tendered in certified funds contemporaneously with the entry of this Order.

4. That the entry of this Order resolves the Cease and Desist Order, Administrative Order No. CD-2002-0027, issued December 20, 2002 as it pertains to JOHN SEIBERT, PEGGY SEIBERT, SERVICES INTERNATIONAL, INC., S&W PROPERTIES, LLC and GRAND OAKS only.

5. The Cease and Desist Order No. CD- 2002-0027 remains in full effect to all listed RESPONDENTS: SHARON NEWBILL EUBANKS and SBJ JOINT VENTURES.

AGREED AND CONSENTED to on dates indicated:

RESPONDENTS:

SERVICE INTERNATIONAL, INC.
S&W PROPERTIES, LLC.
GRAND OAKS

BY:

TITLE:

DATE:

JOHN H SEIBERT
PEGGY SEIBERT

BY:

TITLE:

DATE:

John H. Seibert
Peggy Seibert
January 29, 2004

• ****

APPROVED AND ORDERED this 4th day of Feb, 2004

ALABAMA SECURITIES COMMISSION

770 Washington Avenue, Suite 570

Montgomery, AL 36130-4700

(334) 242-2984

BY:

JOSEPH P. BORG

Director

