

**STATE OF ALABAMA
ALABAMA SECURITIES COMMISSION**

IN THE MATTER OF:

SILVER BULLET, LLC
1VOTE.COM
TIMOTHY F. MOONEY

RESPONDENTS

)
)
)
)
)
)
)

ADMINISTRATIVE ORDER
NO.CD-2012-0004

CEASE AND DESIST ORDER

The Alabama Securities Commission ("Commission"), having the authority 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. **SILVER BULLET, LLC. (SILVER BULLET)** is a Delaware limited liability company with offices and principal place of business located at 101 Convention Center Drive, Suite 700; Las Vegas, Nevada 89109.

2. **1VOTE.COM** is described as a "One-Stop-Shop" for political involvement and political activist social networking. There is no known physical address associated with **1VOTE.COM** other than the offices and principal place of business of **SILVER BULLET** which is 101 Convention Center Drive, Suite 700; Las Vegas, Nevada 89109.

3. **TIMOTHY F. MOONEY (MOONEY)** has been identified as co-founder of **SILVER BULLET** with offices and principal place of business located at 101 Convention Center Drive, Suite 700; Las Vegas, Nevada 89109.

STATEMENT OF FACTS

4. On or about July 6, 2011, the Commission received an inquiry relative to a stock offering by **SILVER BULLET** and **MOONEY** on behalf of **1VOTE.COM**.

5. A review of records maintained by the Commission revealed that neither **SILVER BULLET** nor **1VOTE.COM** is registered with the Commission as an issuer, dealer, or investment advisor.

6. A further search of records maintained by the Commission revealed that **MOONEY** is not registered with the Commission as an agent or investment advisor representative.

7. A search of the EDGAR database maintained by the U.S. Securities and Exchange Commission disclosed no Notice of Exempt Offering of Securities, Form D, had been filed with and accepted by the U.S. Securities and Exchange Commission relative to **SILVER BULLET** or **1VOTE.COM**.

8. On or about July 8, 2011, the Commission mailed a corporate inquiry letter to **MOONEY's** attention at the office location of **SILVER BULLET**. The letter of inquiry conveyed the following:

- A. The Commission had information indicating that a resident of the State of Alabama was recently contacted for the purpose of soliciting a stock investment in **SILVER BULLET/1VOTE.COM**.
- B. Said information available to the Commission indicated that **MOONEY** may be engaged in activities as a dealer, agent, investment adviser or investment adviser representative as defined under Section 8-6-2, Code of Alabama 1975.

- C. The letter outlined the requirement that all securities offered or sold, as well as all entities, including agents and representatives, transacting securities activities in the State of Alabama were required to be registered with the Commission.
- D. The letter requested a written response concerning the information available to the Commission, all for the purpose of avoiding an inadvertent violation of the Alabama Securities Act.

9. On August 9, 2011, a response was received from Charles A. Hurth, III, Attorney, on behalf of **MOONEY**. In his response, Hurth represented that **MOONEY** did not intend to sell any units in **SILVER BULLET**, or shares of any corporation, to any resident of the State of Alabama. In addition, Hurth represented that **MOONEY** was not soliciting any investments in the State of Alabama.

10. On November 2, 2011, the Commission staff conducted an interview of a resident of the State of Alabama who provided the following information:

- A) An acquaintance approached the Alabama resident regarding an investment opportunity and arranged for the Alabama resident to meet with **MOONEY** regarding said investment opportunity.
- B) On or about July 5, 2011, the Alabama resident met with **MOONEY** in Birmingham, Alabama.
- C) During said meeting **MOONEY** made a presentation to the Alabama resident pertaining to **1VOTE.COM** and solicited the minimum purchase of stock in **1VOTE.COM** in the amount of \$25,000.00; however, the Alabama resident did not invest.
- D) **MOONEY** was scheduled to meet with other potential investors in Birmingham, Alabama.

11. The day following his meeting with the Alabama resident, **MOONEY** delivered the following documents to the Alabama resident as attachments to an e-mail message:

- A) 1Vote 1 Pager
- B) 1Vote.com Summary
- C) 1Vote.com Cash Flow Projections
- D) 1Vote.com Cash Flow Description

12. The attachment entitled "1Vote 1 Pager" contains a section entitled "Opportunity" wherein it is disclosed that 1Vote.com is seeking to raise \$600,000.00 in initial capital with a minimum single investment being \$25,000.00.

13. The attachment entitled "1Vote.com Summary" contains a section entitled "Investment Opportunity" which identifies 1Vote.com as a Delaware "C" corporation holding 20 million shares of common stock with two (2) million shares issued. In addition, the summary states that while there is no plan to seek additional capital, the stock is subject to potential dilution as the result of a second (or more) round of capital investment.

14. A search of records maintained by the Secretary of State of the State of Delaware does not reveal any incorporation in that state under the name **1VOTE.COM**.

CONCLUSIONS OF LAW

15. Pursuant to Section 8-6-2 (10), Code of Alabama, 1975, the definition of a security includes, in pertinent part, "Any note, stock, treasury stock . . .". The stock in **1VOTE.COM** offered by the **RESPONDENTS** is a security under the Act.

16. Section 8-6-2(2), Code of Alabama, 1975, defines an agent as any individual who represents a dealer or issuer in effecting or attempting to effect sales of securities. **MOONEY**, by soliciting an investment, to wit; stock in **1VOTE.COM**, from an Alabama

resident, acted as an Agent of **SILVER BULLET** and **1VOTE.COM** and is an agent under the Act.

17. Section 8-6-3(a), Code of Alabama, 1975, states that it is unlawful for any person to transact business in this state as a Dealer or Agent for securities unless such person is registered with the Commission. **SILVER BULLET** and **MOONEY** offered stock in **1VOTE.COM** to an Alabama resident without benefit of registration. **MOONEY** made said solicitation without being registered as an Agent with the State of Alabama, in violation of the Act.

18. Pursuant to Section 8-6-4, Code of Alabama, 1975, it is unlawful for any person to offer or sell any security in this state unless: (1) it is registered under the Act; (2) the security is exempt from registration under section 8-6-10; or (3) the transaction is exempt under section 8-6-11. The security offered; to wit: stock in **1VOTE.COM**, was neither registered nor exempt from registration in Alabama in violation of the Act.

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

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

Additionally, if the allegations set forth herein are found to be true, through administrative adjudication, failure of the **RESPONDENTS** to make a timely request for hearing, or default of the respondent, it is the intention of the Commission to impose sanctions upon the **RESPONDENTS**. Such sanctions may include, inter alia, an administrative assessment imposed on **RESPONDENTS**, and additional administrative assessment for investigative cost arising from the investigation of the violations described herein against **RESPONDENTS**, and a permanent order to bar **RESPONDENTS** from participation in any securities related industry in the State of Alabama.

ACCORDINGLY, IT IS HEREBY ORDERED that **SILVER BULLET, LLC;**
1VOTE.COM; and **TIMOTHY F. MOONEY** 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 31st day of January, 2012.



ALABAMA SECURITIES COMMISSION
401 Adams Avenue, Suite 280
Montgomery, AL 36104
(334) 242-2984
BY:

A handwritten signature in black ink, consisting of a large loop and several sharp strokes, written over a horizontal line.

JOSEPH P. BORG
Director