

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 incorrectly 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. Contrary to the attorney response to the Commission, Mooney admits that he unsuccessfully attempted to sell securities in 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**.

15. Administrative Cease and Desist Order Number CD-2012-0004 was issued against **SILVER BULLET, 1VOTE.COM and MOONEY** on January 31, 2012.

16. By letter dated March 9, 2012, **MOONEY**, through counsel, responded to CD-2012-0004. **MOONEY** indicated that **SILVER BULLET** had no connection to the proposed offer and sale of securities in **1VOTE.COM**, but that the letterhead of **SILVER**

BULLET was used only as a means of transmitting information and so that the recipients would have **MOONEY**'s address and telephone number. **MOONEY** also indicated that **1VOTE.COM** was a business concept that was not incorporated at the time of his meeting with the Alabama resident. In his response, **MOONEY** also confirmed that no sales to Alabama residents were consummated and submitted an affidavit detailing the circumstances relating to his actions which gave rise to the Commission Order. Additionally, **MOONEY** made an undertaking that he will engage competent counsel in the event that he intends to engage in any securities activities in Alabama.

CONCLUSIONS OF LAW

17. 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 **MOONEY** is a security under the Act.

18. 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 **1VOTE.COM** and is an agent under the Act.

19. 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. **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.

20. 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.

WHEREAS, MOONEY admits that he attempted to effect transactions in securities in the State of Alabama prior to registration or the perfection of any applicable exemption, and states that the information and assertions presented to the Commission during its investigation of this matter are true and correct; that **MOONEY** understands the Commission's reliance upon such information and assertions in its determination to accept this Order, and that should this information or these 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, MOONEY has voluntarily waived all rights to a hearing upon entry of this Order, and has consented to the entry of this Order, and

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 **MOONEY** 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 **RESPONDENT MOONEY** shall refrain from the offer or sale of any securities into, within or from the State of Alabama until such time as the securities are properly registered, or an appropriate exemption from registration has been perfected.

2. That **RESPONDENT MOONEY** shall not employ any broker-dealer or agent to effect securities transactions in this state who is not appropriately registered or exempt from registration under the Alabama Securities Act.

3. That **RESPONDENT MOONEY** shall not act in the capacity of an agent for securities in Alabama without first being registered with the Commission or subject to a perfected exemption from registration under the Alabama Securities Act.

4. That **RESPONDENT MOONEY** shall ensure that proper procedures are enacted to preclude any future non-compliance with the Act.

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

6. That in accordance with Section 8-6-19(k)(1), Code of Alabama 1975, **RESPONDENT MOONEY** 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.

7. That the entry of this Order resolves the Cease and Desist Order, Administrative Order No. CD-2012-0004, issued January 31, 2012, as it relates to all **RESPONDENTS**.

AGREED AND CONSENTED to on dates indicated:

RESPONDENT:

TIMOTHY F. MOONEY, individually and on behalf of SILVER BULLET, LLC and 1VOTE.COM

DATE: _____


6/16/14

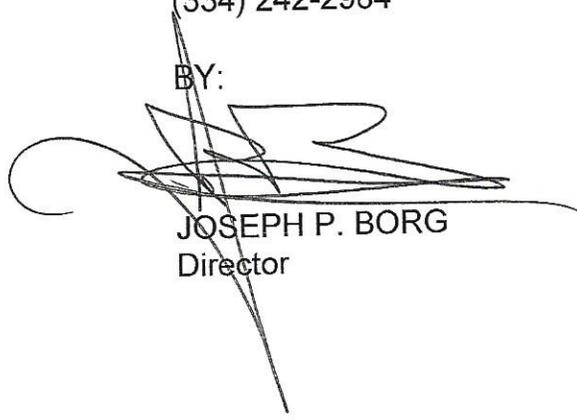
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APPROVED AND ORDERED this 2nd day of July, 201~~3~~⁴



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BY:



JOSEPH P. BORG
Director