

**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
SECURITIES DIVISION**

IN THE MATTER OF DETERMINING  
Whether there has been a violation  
of the Business Opportunity Fraud Act of the  
State of Washington by:

Nationwide Marketing, Wayne Alexander, their  
agents and employees,

Respondents.

SDO - 080 - 02

SUMMARY ORDER TO CEASE AND DESIST

Case No. 02-05-181

ACO No. 11026

THE STATE OF WASHINGTON TO:

#23-194

Nationwide Marketing  
Wayne Alexander  
4150 Hancock Bridge Parkway

North Fort Myers, FL 33903

**STATEMENT OF CHARGES**

Please take notice that the Securities Administrator of the State of Washington has reason to believe that Respondents Nationwide Marketing, Wayne Alexander, and their agents and employees have violated the Business Opportunity Fraud Act and that their violations justify the entry of an order of the Securities Administrator under RCW 19.110.150 to cease and desist from such violations. The Securities Administrator finds that delay in ordering the Respondents to cease and desist from such violations would be hazardous to the investors and to the public and that a Summary Order to Cease and Desist should be entered immediately. The Securities Administrator finds as follows:

**TENTATIVE FINDINGS OF FACT**

I.

Nationwide Marketing maintains a business address of 4150 Hancock Bridge Parkway #23-194, North Fort Myers, Florida. Nationwide Marketing is the seller of an opportunity involving payment for in-home mail processing (the "mail processing opportunity"). Wayne Alexander is a principal of Nationwide Marketing.

## II.

In early 2002, Respondents Nationwide Marketing and Wayne Alexander mailed, or caused to be mailed, a promotional flyer concerning a “Home Mailer Processors” mail processing opportunity to at least one resident of the state of Washington. The flyer, which identified Wayne Alexander as “Owner” of Nationwide Marketing stated, in part:

**HELP WANTED! HOME MAIL PROCESSORS NEEDED IMMEDIATELY!**  
Thank you for requesting our information. You finally have a genuine opportunity to earn an excellent weekly income working from home. If you are willing to mail our sales brochures for \$4.00 each, and be paid in advance, then our company would like you to join the highest paid team of home workers today.

**THIS IS EASY ENJOYABLE WORK THAT CAN BE DONE AT HOME!**  
Working with our company, you will help solve your money troubles. Eliminate concerns about not having enough money to pay the bills, or to do the things that you have always dreamed about. If you have always wanted an easy way to work from home in your spare time, while still earning an above average income, you owe it to yourself to check out our offer. We are looking for hardworking people who want an easy way to create an income from their home.

The flyer provided that offerees were required to send to Respondent Nationwide Marketing a “one-time” registration fee of \$40. The flyer also provided the following:

This may be your only real chance to earn money from home, by becoming part of our successful mail order business. As an active participant of our company, you will receive immediate payment for ALL the envelopes you mail. You never pay for supplies or postage! You never purchase mailing lists! You never do any personal selling! And your income is guaranteed to be paid to you, in advance! Your job will be to secure, stuff, and mail envelopes for our company.

This program allows you to earn a good living with a company that needs home workers, to mail their brochures. This program has been so successful and profitable, that it has been adopted by many firms.

Take part in our success. The amount of money you earn is up to you. There are no obligations. You can quit whenever you want. All the work is done from your home, and you can start immediately! You will be supplied with the envelopes already stamped and addressed.

**WE GUARANTEE** that everything we have said about this program is true, and that you will be delighted with your income. Our success depends on your 100% satisfaction with this program. All payments for envelopes are made to you before you are required to mail them, and **PAYMENT IS GUARANTEED!**...

No other disclosure document containing material information regarding the mail processing opportunity or Nationwide Marketing, including but not limited to a financial statement of the seller, accompanied or was referenced in the flyer.

III.

Nationwide Marketing is not currently registered with the Washington Securities Division to offer or sell business opportunities in the state of Washington and has not previously been so registered. It is in the public interest that the offer and/or sale of the above-described mail processing opportunity in violation of the Washington Business Opportunity Fraud Act cease.

An emergency exists in that further sales of unregistered business opportunities would be hazardous to investors and the public of this state.

Based upon the above Tentative Findings of Fact, the following Conclusions of Law are made:

CONCLUSIONS OF LAW

I.

The offer and/or sale of the mail processing opportunity described in Tentative Findings of Fact I and II constitutes the offer and/or sale of a business opportunity as defined in RCW 19.110.020(1).

II.

The offer and/or sale of the mail processing opportunity described in Tentative Findings of Fact I and II was made in violation of RCW 19.110.070 and RCW 19.110.120 because Respondent Nationwide Marketing failed to provide prospective purchasers with a complete disclosure document containing material information regarding the mail processing opportunity and the seller, including but not limited to a financial statement of the seller.

III.

The offer and/or sale of the mail processing opportunity as described in Tentative Findings of Fact I through III was made in violation of RCW 19.110.050(1) because no business opportunity

registration has been made nor a permit issued to Respondent Nationwide Marketing for the offer and/or sale of the business opportunity in this state.

The Securities Administrator finds that this action is necessary and appropriate in the public interest and for the protection of investors and that the public safety and welfare require emergency action.

#### SUMMARY ORDER

Based on the premises of the foregoing,

IT IS THEREFORE HEREBY SUMMARILY ORDERED That Nationwide Marketing, Wayne Alexander, and their agents and employees, each cease and desist from offering and/or selling business opportunities in violation of RCW 19.110.070 and RCW 19.110.120, the disclosure document and antifraud provisions of the Business Opportunity Fraud Act, respectively.

IT IS THEREFORE HEREBY SUMMARILY ORDERED That Nationwide Marketing, Wayne Alexander, and their agents and employees, each cease and desist from offering and/or selling business opportunities in violation of RCW 19.110.050(1), the registration requirement provision of the Business Opportunity Fraud Act.

#### AUTHORITY AND PROCEDURE

This Summary Order is entered pursuant to the provisions of RCW 19.110.150 and chapter 34.05 RCW. The Respondents may make a written request for hearing as set forth in the Notice of Opportunity to Defend and Opportunity for Hearing accompanying this order. A request for a hearing should be in writing and sent to Deborah R. Bortner, Securities Administrator, Department of Financial Institutions, P.O. Box 9033, Olympia, Washington 98507-9033 to the attention of Brad Ferber. If a Respondent does not request a hearing as set forth in the Notice of Opportunity to Defend and Opportunity for Hearing, the Securities Administrator intends to adopt the Tentative Findings of Fact and Conclusions of Law as final and make this Summary Order to Cease and Desist permanent as to that Respondent.

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

Dated this 29<sup>th</sup> day of August, 2002.

A handwritten signature in black ink, reading "Deborah R Bortner". The signature is written in a cursive style with a horizontal line underneath it.

Deborah R. Bortner  
Securities Administrator

Presented by: \_\_\_\_\_  
Brad Ferber  
Financial Legal Examiner