

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Securities Act of Washington by:

JOIE DE VIE VENTURES, INC.; ARTHUR  
KILNER d/b/a KILNER ENTERPRISES LTD.; their  
employees and agents,

Respondents.

SDO - 55A - 00

SUMMARY ORDER TO CEASE AND  
DESIST

Case No. 99-11-0370

THE STATE OF WASHINGTON TO: Joie De Vie Ventures, Inc.  
P.O. Box 997  
Grenville St. Andrew  
Grenada, West Indies

Arthur Kilner d/b/a Kilner Enterprises Ltd.  
173 Ridgebury Drive, P.O. Box 601  
Xenia, OH 45385-3956

**STATEMENT OF CHARGES**

Please take notice that the Securities Administrator of the State of Washington has reason to believe that Respondents Joie De Vie Ventures, Inc. and Arthur Kilner d/b/a Kilner Enterprises Ltd. have violated the Securities Act of Washington and that their violations justify the entry of an order of the Securities Administrator under RCW 21.20.390 to cease and desist from such violations. The Securities Administrator finds that delay in ordering 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. Respondents**

1.1 JOIE DE VIE VENTURES, INC. ("Joie De Vie") is an international business corporation with a business address at P.O. Box 997, Grenville St. Andrew, Grenada, West Indies.

1 1.2 ARTHUR KILNER (“Kilner”) d/b/a KILNER ENTERPRISES LTD. has a place of business at 173 Ridgebury  
2 Dr., Xenia, OH. “Kilner Enterprises Ltd.” is a registered trade name with the state of Ohio. Arthur Kilner d/b/a Kilner  
3 Enterprises Ltd. promotes various investment opportunities through the mail and over the telephone.

## 4 **II. Nature of the Offering**

5 2.1 Beginning in October of 1999, Respondents acting in concert, on behalf of one another, and acting through their  
6 agent Arthur Kilner d/b/a Kilner Enterprises Ltd., solicited at least one Washington resident to invest in Joie De Vie  
7 Ventures, Inc. Respondents sent offering literature through the mail describing the Joie De Vie investment program.

8 2.2 The offering literature sent to Washington residents is a solicitation for funds to be invested in Joie De Vie. The  
9 literature states that funds will be used for “operational purposes in the interest of Joie De Vie Ventures, Inc.” Joie De  
10 Vie is described in the literature as an “offshore IBC and trust company specifically structured to minimize the risk  
11 normally involved with high yield programs.” The literature declares that investors will make “100% profit per year  
12 (8.33% monthly) (Compounds annually).” For an initial investment of \$100 with Joie De Vie, it is represented that  
13 investors can make a profit of \$1,000,000 within a time period of fourteen years.

14 2.3 The offering literature contains a signature page entitled “Voluntary Private-Party Deposit Agreement” which  
15 offerees are directed to send to Joie De Vie. On the signature page, offerees are instructed to sign their name, and to  
16 make investment funds payable to Joie De Vie Ventures, Inc via an international money order or a bank check.

17 2.4 Art Kilner is listed on each signature page as the person who referred the offeree to Joie De Vie.

18 2.5 Through April of 2000, Arthur Kilner d/b/a Kilner Enterprises, continued to offer interests in Joie De Vie  
19 through the mail to at least one Washington resident.

## 20 **III. Misrepresentations and Omissions**

21 3.1 Respondents failed to provide offerees with a disclosure document containing complete material information  
22 about the investment opportunity described above, including but not limited to risk factors disclosure and financial  
23 statements of Joie De Vie Ventures, Inc.

1 3.2 The offering literature sent by the Respondents did not identify the following: the principals in Joie De Vie  
2 Ventures, Inc.; their experience and track record in investment programs; what basis Joie De Vie Ventures, Inc.  
3 has for its claim that it will be able to pay investors 100% profit per year; what role Arthur Kilner was to play in  
4 the transaction, and what compensation he was to receive.

#### 5 **IV. Registration Status**

6 Joie De Vie Ventures, Inc. is not currently registered to sell its securities in the state of Washington and has  
7 not previously been so registered.

8 Arthur Kilner d/b/a Kilner Enterprises Ltd. is not currently registered as a securities salesperson or broker-  
9 dealer in the State of Washington and has not previously been so registered.

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

#### 11 **CONCLUSIONS OF LAW**

##### 12 I.

13 The offer of the investment with Joie De Vie Ventures, Inc. described above constitutes the offer and/or sale of  
14 a security as defined in RCW 21.20.005(10) and (12), to wit: evidence of indebtedness; an investment contract; or risk  
15 capital.

##### 16 II.

17 The offer of said securities was made in violation of RCW 21.20.010 because, as set forth in paragraph III of the  
18 Tentative Findings of Fact, Respondents omitted to state material facts necessary in order to make the statements  
19 made, in light of the circumstances under which they were made, not misleading.

##### 20 III.

21 The offer of said securities is in violation of RCW 21.20.140 because no registration for such offer and/or  
22 sale is on file with the Securities Administrator of the state of Washington.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

IV.

Respondent Arthur Kilner d/b/a Kilner Enterprises Ltd. has violated RCW 21.20.040 by offering said securities while not being registered as a securities salesperson, broker-dealer, or investment adviser in the state of Washington.

V.

The Securities Administrator finds that an emergency exists and that the continued violations of RCW 21.20.010, RCW 21.20.140, and RCW 21.20.040, constitute a threat to the investing public. Accordingly, a Summary Order to Cease and Desist from those violations is in the public interest and necessary for the protection of the investing public.

**SUMMARY ORDER**

Based upon foregoing, NOW, THEREFORE, IT IS HEREBY SUMMARILY ORDERED that Respondents Joie De Vie Ventures, Inc., Arthur Kilner d/b/a Kilner Enterprises, and their employees and agents, each cease and desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act.

It is further SUMMARILY ORDERED that Respondent Joie De Vie Ventures, Inc., Arthur Kilner d/b/a Kilner Enterprises, and their employees and agents, each cease and desist from violating RCW 21.20.140 by offering and/or selling unregistered securities.

It is further SUMMARILY ORDERED that Respondent Arthur Kilner d/b/a Kilner Enterprises, and his employees and agents each cease and desist from violating RCW 21.20.040 by acting as a securities broker-dealer or securities salesperson without being so registered.

**AUTHORITY AND PROCEDURE**

This Order is entered pursuant to the provisions of RCW 21.20.390, and is subject to the provisions of Chapter 34.05 RCW. Each of the Respondents may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Order.

1 If a Respondent does not request a hearing, the Securities Administrator intends to adopt the above  
2 Tentative Findings of Fact and Conclusions of Law as final and make the Summary Order to Cease and Desist  
3 permanent as to that Respondent.

4 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

5 DATED this \_\_\_\_\_ day of May, 2000.

6  
7 \_\_\_\_\_  
8 DEBORAH R. BORTNER  
9 Securities Administrator

10 Approved by:

10 Presented by:

11 \_\_\_\_\_  
12 Michael E. Stevenson  
13 Chief of Compliance

11 \_\_\_\_\_  
12 Chad Standifer  
13 Staff Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Securities Act of Washington by:

JOIE DE VIE VENTURES, INC.; ARTHUR  
KILNER d/b/a KILNER ENTERPRISES LTD.;  
their employees and agents,

Respondents.

SDO - 55B(1) - 00

NOTICE OF OPPORTUNITY TO DEFEND AND  
OPPORTUNITY FOR HEARING

Case No. 99-11-0370

THE STATE OF WASHINGTON TO:

**Attn: Joie De Vie Ventures, Inc.**  
P.O. Box 997  
Grenville St. Andrew  
Grenada, West Indies

YOU ARE HEREBY NOTIFIED that a SUMMARY ORDER TO CEASE AND DESIST (“the Order”), a true and correct copy of which is attached and made part hereof, has been entered against you by the Washington State Department of Financial Institutions, Securities Division.

YOU ARE HEREBY NOTIFIED that you may file an application for an adjudicative hearing before an administrative law judge as Presiding Officer, upon the allegations supporting and ground for the agency action as set forth in the Order. YOUR APPLICATION MUST BE RECEIVED BY THE SECURITIES DIVISION WITHIN TWENTY (20) DAYS FROM THE DATE THAT YOU RECEIVE THIS NOTICE. If you demand a hearing, you will be notified of the date, time, and hearing location will be mailed to you at least seven (7) days in advance.

At the hearing, you may appear personally, and by counsel, if you desire. The hearing will be recorded and will be conducted according to the Administrative Procedure Act, Ch. 34.05 RCW. The primary concern of the Administrative Law Judge, and, ultimately, the Director of the Department of Financial Institutions, will be to determine the truth of the matters asserted in the Order. Technical rules of evidence will not be binding at the hearing except for the rules of privilege recognized by law. You have the right to present evidence and witnesses

NOTICE OF OPPORTUNITY TO DEFEND AND  
OPPORTUNITY FOR HEARING

1

**DEPARTMENT OF FINANCIAL INSTITUTIONS**  
Securities Division  
PO Box 9033  
Olympia, WA 98507-9033  
360-902-8760

1 in your own behalf who will be subject to cross examination, to cross examine those witnesses presented in  
2 support of the Order, to examine such documentary evidence as may be produced against you, and to conduct  
3 discovery as is authorized in such proceedings. You may require the attendance of witnesses by subpoena,  
4 pursuant to RCW 34.05.446. If you are limited English-speaking or hearing impaired, you have the right to have  
5 an interpreter appointed at no cost to you, as discussed below.

6 INTERPRETER AVAILABILITY. If you or a witness for you is a person who, because of non-English-  
7 speaking cultural background, cannot readily speak or understand the English language, or if you or a witness for  
8 you is a person who, because of a hearing impairment or speech defect, cannot readily understand or communicate  
9 in spoken language, including persons who are deaf, deaf and blind, or hard of hearing, AND YOU NEED AN  
10 INTEPRETER, then a qualified interpreter will be appointed at not cost to you or to the witness. You may request  
11 the appointment of a qualified interpreter by indicating your request on the attached Application for Adjudicative  
12 Hearing form.

13 YOU ARE FURTHER NOTIFIED that if the Department of Financial Institutions does not RECEIVE the  
14 Application for Adjudicative Hearing form within twenty (20) days from the date you receive this notice, this will  
15 constitute a waiver of your right to a hearing in accordance with Ch. 34.05 RCW, and the director will find that  
16 you do not contest the allegations of the Summary Order. Upon such a finding by the director, a final order will be  
17 immediately entered disposing of this matter and ordering you to cease and desist as described in the Summary  
18 Order. If you desire a hearing in this matter, please return the attached Application for Adjudicative Hearing to:

19 Washington State Department of Financial Institutions  
20 Securities Division  
21 Attn: Chad Standifer  
22 P.O. Box 9033  
23 Olympia, WA 98507-9033

24 DATED this \_\_\_\_ day of May, 2000.

25 \_\_\_\_\_  
26 DEBORAH R. BORTNER  
27 Securities Administrator



1 in your own behalf who will be subject to cross examination, to cross examine those witnesses presented in  
2 support of the Order, to examine such documentary evidence as may be produced against you, and to conduct  
3 discovery as is authorized in such proceedings. You may require the attendance of witnesses by subpoena,  
4 pursuant to RCW 34.05.446. If you are limited English-speaking or hearing impaired, you have the right to have  
5 an interpreter appointed at no cost to you, as discussed below.

6 INTERPRETER AVAILABILITY. If you or a witness for you is a person who, because of non-English-  
7 speaking cultural background, cannot readily speak or understand the English language, or if you or a witness for  
8 you is a person who, because of a hearing impairment or speech defect, cannot readily understand or communicate  
9 in spoken language, including persons who are deaf, deaf and blind, or hard of hearing, AND YOU NEED AN  
10 INTEPRETER, then a qualified interpreter will be appointed at not cost to you or to the witness. You may request  
11 the appointment of a qualified interpreter by indicating your request on the attached Application for Adjudicative  
12 Hearing form.

13 YOU ARE FURTHER NOTIFIED that if the Department of Financial Institutions does not RECEIVE the  
14 Application for Adjudicative Hearing form within twenty (20) days from the date you receive this notice, this will  
15 constitute a waiver of your right to a hearing in accordance with Ch. 34.05 RCW, and the director will find that  
16 you do not contest the allegations of the Summary Order. Upon such a finding by the director, a final order will be  
17 immediately entered disposing of this matter and ordering you to cease and desist as described in the Summary  
18 Order. If you desire a hearing in this matter, please return the attached Application for Adjudicative Hearing to:

19 Washington State Department of Financial Institutions  
20 Securities Division  
21 Attn: Chad Standifer  
22 P.O. Box 9033  
23 Olympia, WA 98507-9033

24 DATED this \_\_\_\_ day of May, 2000.

25 \_\_\_\_\_  
26 DEBORAH R. BORTNER  
27 Securities Administrator



**INSTRUCTIONS:** Check the box beside your desired response. Mail this document as set forth above.

I.

I request a hearing in this matter.

I do not request a hearing in this matter.

II.

I [WILL] [WILL NOT] be represented by an attorney. His/her name, address, and telephone number are:

---

---

III.

I [REQUEST] [DO NOT REQUEST] that a qualified interpreter be appointed at no cost to me to interpret for (myself) or (my witness(es)). My, or my witness's(es'), primary language is \_\_\_\_\_ (identify language). My, or my witness's(es'), hearing impaired status is \_\_\_\_\_ (identify hearing impaired status). I understand that a qualified interpreter will be appointed at no cost to me or to my witness(es).

IV.

You have the right: To demand an adjudicative hearing, to be represented by an attorney at your own expense; and to subpoena witnesses to the hearing or subpoena the production of books or documents, and to otherwise defend against the Summary Order.

**WARNING: FAILURE TO COMPLETE AND MAIL THIS DOCUMENT SO THAT IT IS RECEIVED BY THE SECURITIES DIVISION WITHIN 20 DAYS AFTER YOUR RECEIPT OF THE SUMMARY ORDER WILL RESULT IN THE DISPOSITION OF THIS CASE AS AUTHORIZED BY RCW 34.05.440.**

Dated this \_\_\_\_\_ day of May, 2000.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**\*\* Sign \*\***

---

Address:

---

---

---

1  
2  
3  
4  
5  
6  
7  
8

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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Securities Act of Washington by:

JOIE DE VIE VENTURES, INC.; ARTHUR  
KILNER d/b/a KILNER ENTERPRISES LTD.;  
their employees and agents,

Respondents.

SDO - 55C(2) - 00

APPLICATION FOR ADJUDICATIVE  
HEARING

Case No. 99-11-0370

9  
10  
11

THE STATE OF WASHINGTON TO:      **Attn: Arthur Kilner d/b/a Kilner Enterprises**  
173 Ridgebury Drive, P.O. Box 601  
Xenia, OH 45385-3956

12  
13

If you wish to contest the Summary Order to Cease and Desist and have an adjudicative hearing, you must sign,  
date, and return this form within twenty (20) days of the date you received it, to:

14  
15  
16

Washington State Department of Financial Institutions  
Securities Division  
Attn: Chad Standifer  
P.O. Box 9033  
Olympia, WA 98507-9033

17  
18  
19  
20  
21

FAILURE TO RETURN THIS FORM SO THAT IT IS RECEIVED BY THE DEPARTMENT OF  
FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS OF THE DATE YOU RECEIVED IT WILL  
CONSTITUTE A DEFAULT AND WILL RESULT IN THE LOSS OF YOUR RIGHT TO AN ADJUDICATIVE  
HEARING. In that case, the Director of the Department of Financial Institutions will immediately enter an  
appropriate order in disposition of the Summary Order.

1 INSTRUCTIONS: Check the box beside your desired response. Mail this document as set forth above.

2  
3 I.

- 4  I request a hearing in this matter.  
5  I do not request a hearing in this matter.

6 II.

7 I [WILL] [WILL NOT] be represented by an attorney. His/her name, address, and telephone number are:  
8 \_\_\_\_\_  
9 \_\_\_\_\_

10 III.

11 I [REQUEST] [DO NOT REQUEST] that a qualified interpreter be appointed at no cost to me to interpret  
12 for (myself) or (my witness(es)). My, or my witness's(es'), primary language is \_\_\_\_\_  
13 (identify language). My, or my witness's(es'), hearing impaired status is \_\_\_\_\_ (identify  
14 hearing impaired status). I understand that a qualified interpreter will be appointed at no cost to me or to my  
15 witness(es).

16 IV.

17 You have the right: To demand an adjudicative hearing, to be represented by an attorney at your own  
18 expense; and to subpoena witnesses to the hearing or subpoena the production of books or documents, and to  
19 otherwise defend against the Summary Order.

20 WARNING: FAILURE TO COMPLETE AND MAIL THIS DOCUMENT SO THAT IT IS RECEIVED  
21 BY THE SECURITIES DIVISION WITHIN 20 DAYS AFTER YOUR RECEIPT OF THE SUMMARY ORDER  
22 WILL RESULT IN THE DISPOSITION OF THIS CASE AS AUTHORIZED BY RCW 34.05.440.

Dated this \_\_\_\_\_ day of May, 2000.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**\*\* Sign \*\***

---

Address:

---

---

---