BEFORE THE
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES
STATE OF WISCONSIN

In the Matter of ECOQUEST INTERNATIONAL, f/k/a ALPINE INDUSTRIES, INC., BEST INVESTMENTS, INC., THUNDERSTORM, INC., WILLIAM J. CONVERSE, MICHAEL J. JACKSON, and JOHN F. KELLY, Respondents.	PETITION FOR ORDER OF PROHIBITION AND REVOCATION (SUMMARY) File S-00213(FX)

The staff of the Enforcement Unit, Registration & Enforcement Section, of The Division of Securities, Department of Financial Institutions, State of Wisconsin has conducted an investigation in this matter pursuant to sec. 551.56, Wis. Stats., and as a result thereof alleges as follows:

1. Ecoquest International, f/k/a Alpine Industries, Inc. ("Ecoquest") is a foreign corporation with a last known business address of 310 T. Elmer Cox Drive, Greeneville, TN 37743.

2. Best Investments, Inc., ("Best") is a foreign corporation with a last known business address of 2214 E. Fairview Avenue, Johnson City, TN 37601.

3. Thunderstorm, Inc. ("Thunderstorm") is stated in the offering materials as a corporation with a last known business address as 1403 East Holmes Street, Janesville, WI 53545.

4. William J. Converse ("Converse") is an individual with a last known business address of 310 T. Elmer Cox Drive, Greeneville, TN 37745.

5. Michael J. Jackson ("Jackson") is an individual with a last known business address of 310 T. Elmer Cox Drive, Greeneville, TN 37745.

6. John F. Kelly ("Kelly") is an individual with a last known address of 1403 East Holmes Street, Janesville, WI 53545.

7. Upon information and belief, Converse was the President of Alpine.

8. Upon information and belief, Jackson was the Vice President of Alpine.

9. Upon information and belief Kelly is a dealer for Ecoquest and an officer and director of Thunderstorm.

10. In approximately March of 2000, Kelly, on behalf of Alpine, now known as Ecoquest, contacted a person by telephone at her home in Wisconsin to offer her the opportunity to make money selling clean air machines manufactured by Alpine.

11. Kelly gave the Wisconsin investor a copy of the book "Your Alpine Success & Evaluation Manual." On the inside cover of this manual was stamped "Thunderstorm, Inc., 1403 East Holmes Street, Janesville, WI 53545, Bus: (608) 756-5671." This is the home address of Kelly.

12. On March 16, 2000, the person in Wisconsin signed a Dealer Agreement on Alpine letterhead with John F. Kelly signing as the "sponsor."

13. The Dealer Agreement the person in Wisconsin signed required the payment of $35.00 to apply to be a dealer and $2,395 for purchase of a "success pack."

14. On March 16, 2000 the person in Wisconsin signed a Financial Agreement with Best.

15. The person in Wisconsin received a packet of videotapes and materials published under the Alpine Industries letterhead with a business development course referencing it as the Alpine business development course.

16. Since the Agreement required the payment of a fee for the right to do business, the use of the trademark "Alpine" was evident and there was a marketing plan including videos and a written course plan, the agreement is a "franchise" as that term is defined by sec. 553.03(4)(a), Wis. Stats.

17. The franchise described above has never been registered for sale in Wisconsin pursuant to Ch. 553, Wis. Stats.

18. Respondents have violated sec. 553.21, Wis. Stats., by selling an unregistered franchise in Wisconsin.

19. Section 553.27(4), Wis. Stats., requires the prospective franchisee to receive an offering circular at least ten business days prior to the execution by the prospective franchisee of any binding franchise agreement.

20. The offering circular required to be provided to the Wisconsin investor described in item 19 above requires disclosure of any currently effective injunctive or restrictive orders or decrees relating to the franchise.

21. On January 12, 2000, Alpine Industries, Inc., and William J. Converse were the subjects of an Order issued by the United States District Court, Eastern District of Tennessee at Greenville, Case No. 2.97-CV-509 prohibiting the defendants from making claims or representations regarding the products ability to prevent or provide relief from any health or medical condition of any kind or ability to control the ambient level of ozone and indoor air.

22. The investor was never told of the Order issued against Alpine described in Paragraph 21 above prior to purchasing the franchise.

23. A search of the records on file with the Wisconsin Department of Financial Institutions does not show a business entity by the name of Thunderstorm, Inc. as ever being registered as a corporation with the Corporations Division of that Department.

24. All Respondents have violated sec. 553.41(3), Wis. Stats., by making an untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, in connection with the sale of a franchise to a person in Wisconsin described in paragraphs 12, 13, and 14 above.

Therefore, the staff of the Enforcement Unit petitions the Administrator of the Division of Securities for the issuance of the attached order pursuant to Ch. 553, Wis. Stats.

Kathryn L. Denton 12/15/00

Kathryn L. Denton Date
Examiner
Enforcement Unit

12/15/00

David A. Cohen Date
Supervising Attorney
Enforcement Unit