

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

In the Matter of
JAMES R. MILLARD,
VINCENT MISTRETTO, JR. and
VIATICAL CONCEPTS
Respondents.

PETITION FOR ORDER

File No. S-02042(EX)

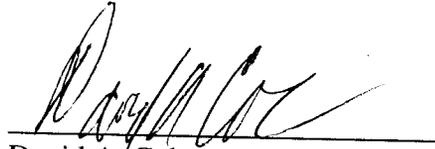
The staff of the Bureau of Registration & Enforcement, of the Division of Securities, Department of Financial Institutions, State of Wisconsin has conducted an investigation in this matter pursuant to sec. 551.56, Wis. Stats. and as a result thereof alleges as follows:

1. James R. Millard ("Millard" CRD #1502348) is an adult individual with a last known address at 1548 Darcy Dr., Oregon, WI 53575;
2. Vincent Mistretta, Jr. ("Mistretta" CRD#1496561) is an adult individual with a last known address at 111 N Pompano Beach Blvd, Apt 1801, Pompano Beach FL 33062-5722;
3. Viatical Concepts is a business entity with a last known address at 12164 NW 33rd St. Coral Springs FL 33065-9802
4. Mutual Benefits Corporation is a foreign business entity with a last known address at 2881 E Oakland Park Blvd, Suite 200, Fort Lauderdale, FL 33306;
5. During at least 2000 and 2001, Millard; on behalf of Mistretta, Viatical Concepts, and Mutual Benefits; offered and sold viatical settlement investments to at least 2 people in Wisconsin;
6. The viatical settlement investment is an investment in a common enterprise with the expectation of profit to be derived through the substantial efforts of someone other than the investor;
7. The investments are "investment contracts" as defined by DFI-Sec 1.02, Wis. Admin. Code and are therefore securities as defined by sec. 551.02(13), Wis. Stats.,
8. The securities were never registered for offer or sale in Wisconsin;
9. Respondents have violated sec. 551.21, Wis. Stats., by selling unregistered securities;
10. Millard was never registered as a securities agent in Wisconsin pursuant to Ch. 551, Wis. Stats.;
11. Millard has violated sec. 551.31(1), Wis. Stats., by acting as an unlicensed agent;

12. Mistretta and Viatical Concepts have violated sec. 551.31(2), Wis. Stats., by hiring an unlicensed agent to represent them.

THEREFORE, the staff of the Bureau of Registration & Enforcement petitions the Administrator for the issuance of the attached order.

DATED this 17th day of May, 2005



David A. Cohen
Bureau of Registration & Enforcement
Division of Securities