

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

In the Matter of
MORTGAGE AND BUYING SOLUTIONS, INC.,
SEAN MORIARTY,
RICHARD PENUEL, and
JOSEPH REVILLA,

PETITION FOR ORDER

Respondents.

File No. S-07084(EX)

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

1. Mortgage & Buying Solutions, Inc. ("MABS") is a business entity incorporated in the State of Arizona with a last known business address of 5133 N. Central Avenue, Suite 201, Phoenix, Arizona 85012;
2. Sean Moriarty ("Moriarty") is an individual who at all times material hereto has been an owner, officer and/or controlling person of MABS, with a last known address at that of MABS and a last known home address of 4292 S. Columbia Way, Gold Canyon, Arizona 85218;
3. Richard Penuel ("Penuel") is an individual who at all times material hereto has been an owner, officer and/or controlling person of MABS, with a last known business address at that of MABS;
4. Joseph Revilla ("Revilla") is an individual who at all times material hereto has been an agent of MABS, Moriarty, and Penuel, with a last known address at that of MABS;
5. During the period of 2007, Revilla, on behalf of MABS, Moriarty, and Penuel, offered and sold to at least one person in Wisconsin interests in a website business;
6. Pursuant to the information received by persons in Wisconsin, MABS will establish and operate an Internet website for the person in Wisconsin, referred to in Paragraph 5 above, with consulting, programs and techniques of advertising provided by MABS, for customers to make loan applications, which are then processed by a mortgage marking firm arranged for by MABS;
7. Upon information and belief, investors can play a passive role in the Internet websites of MABS with no material duties and responsibilities;
8. Since the investors will be involved in a common enterprise with the expectation of profits to be derived from the essential managerial efforts of others, the Internet websites offered and sold by the Respondents are investment contracts as defined by section DFI-Sec. 1.02(6)(a), Wis. Adm. Code, and are therefore securities as defined by sec. 551.02(13), Wis. Stats.;
9. The MABS investment contracts have never been registered for offer and sale in Wisconsin pursuant to Ch. 551, Wis. Stats.;
10. All Respondents have violated sec. 551.21(1), Wis. Stats., by offering and selling unregistered securities to a person in Wisconsin;

11. In connection with the offer and sale of the securities described above, Revilla transacted business in Wisconsin as an "agent" for MABS, Moriarty and Penuel, as that term is defined by sec. 551.02(2), Wis. Stats.;

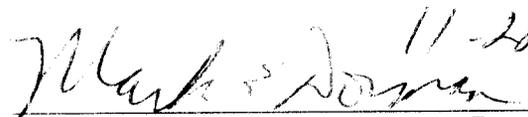
12. At no time has Revilla been licensed as a securities agent pursuant to Ch. 551, Wis. Stats.;

13. Revilla has violated sec. 551.31(1), Wis. Stats., by transacting business in Wisconsin as a securities agent without a license;

14. MABS, Moriarty and Penuel have violated sec. 551.31(2), Wis. Stats., by employing an unlicensed agent to represent them in Wisconsin; and

15. MABS made a rescission offer to and repurchased the investment from the person in Wisconsin, referred to in Paragraph 5 above, less the amount of payments previously made by MABS to the person in Wisconsin.

Therefore, the staff of the Bureau of Registration & Enforcement petitions the Administrator of the Division of Securities for the issuance of the attached Order pursuant to Ch. 551, Wis. Stats.


Mark E. Dorman
Examiner
Date 11-28-07


David A. Cohen
Supervising Attorney
Date 11/28/07