

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

In the Matter of
DENNIS BURKHARTSMEIER; BRENDA
BURKHARTSMEIER; MOUNTAIN
MANUFACTURING, INC., MOUNTAIN
MUDD, LLC, MOUNTAIN MANUFACTURING
COMPANY, R/MM, LLC and COFFEE
COOPERATIVE ASSOCIATION a/k/a
THE COFFEE COOPERATIVE, INC.,

PETITION FOR ORDER
(SUMMARY)

Respondents.

File No. S-05102 (FX)

The staff of the Bureau of Registration and Enforcement of the Division of Securities, Department of Financial Institutions, State of Wisconsin has conducted an investigation in this matter pursuant to sec. 553.55, Wis. Stats., and as a result thereof alleges as follows:

1. Dennis Burkhartsmeier (“DBurkhartsmeier”) is an individual, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
2. Brenda Burkhartsmeier (“BBurkhartsmeier”) is an individual, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
3. Mountain Manufacturing, Inc. (“MMI”) is a foreign business entity, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
4. Mountain Mudd, LLC (“MMLLC”), is a foreign business entity, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
5. Mountain Manufacturing Company (“MMC”) is a foreign business entity, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
6. R/MM, LLC, (“R/MM”) is a foreign business entity and predecessor to MMI, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101.
7. Coffee Cooperative Association a/k/a The Coffee Cooperative, Inc. (“CCA”) is a foreign business entity, with a last known business address of 2923 Montana Avenue, Billings, Montana 59101 and is a division of MMC.
8. Upon information and belief, DBurkhartsmeier, at all times material hereto, has been President/Treasurer of MMI and has been an officer of CCA.

9. Upon information and belief, BBurkhartsmeier, at all times material hereto, has been VicePresident/Secretary of MMI and has been an officer of CCA.

10. Upon information and belief, on January 6, 2003, BBurkhartsmeier, as Agent for CCA, sold a person in Wisconsin a business opportunity in CCA .

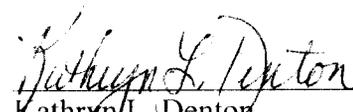
11. Pursuant to R/MM Purchase Agreements (R/MM Agreement), MMI Purchase Agreements and MMLLC Optional License Agreements, the member purchased Mountain Manufacturing Kiosks ("Kiosks") that conform to MMI published specifications from which to operate the "business opportunity."

12. Pursuant to the CCA Membership Agreement , the "business opportunity" granted the member the right to engage in the business of offering, selling or distributing goods or services under a marketing plan or system prescribed in substantial part by the offeror; the operation of the business was in association with a trademark, service mark, trade name, logotype, advertising or other commercial symbol; and there was a required payment of a fee in connection with the use of the trademark.

13. The "business opportunity" described in paragraphs above is a franchise as defined by sec. 553.03(4), Wis. Stats., and has never been registered for sale in Wisconsin pursuant to Ch. 553, Wis. Stats.

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

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. 551, Wis. Stats.


Kathryn L. Denton
Examiner
Bureau of Registration and Enforcement

7/23/07
Date


David Cohen
Supervising Attorney
Bureau of Registration and Enforcement

7/23/07
Date