

- 1 b. Investors were not told that Seibert had a past conviction for securities fraud in
- 2 2002; and
- 3 c. Investors were not told that Seibert and RMS were engaging in unlicensed
- 4 activity.

5 The California Corporations Commissioner is of the opinion that the securities offered and
6 sold by Seibert and RMS were offered and sold in this state by means of written or oral
7 communications that included untrue statements of material fact or omitted to state material facts
8 necessary in order to make the statements made, in the light of the circumstances under which they
9 were made, not misleading, in violation of section 25401 of the Corporate Securities Law of 1968.

10 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Robert Mark Seibert,
11 a.k.a. Bob Kelly and RMS and Associates, a.k.a. RMS Trading Group are hereby ordered to desist
12 and refrain from offering or selling or buying or offering to buy any security in the State of
13 California, including, but not limited to, investment contracts in the form of capital input in RMS by
14 means of any written or oral communication which includes an untrue statement of a material fact or
15 omits to state a material fact necessary in order to make the statements made, in the light of the
16 circumstances under which they were made, not misleading.

17 This Order is necessary, in the public interest, for the protection of investors and consistent
18 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

19 Dated: December 19, 2008
20 Los Angeles, California

21 PRESTON DuFAUCHARD
22 California Corporations Commissioner

23 By _____
24 ALAN S. WEINGER
25 Lead Corporations Counsel
26 Enforcement Division