

**SUPERIOR COURT BERGEN COUNTY
FILED**

FILED

JAN 26 11

Robert P. Con...

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for Plaintiff

FEB 26 2009

[Signature]
DEPUTY CLERK

By: Toral M. Joshi
Deputy Attorney General
(973) 648-2893

SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY
CHANCERY DIVISION: EQUITY
DOCKET NO. C-286-09

ANNE MILGRAM,
Attorney General of New Jersey,
on behalf of
AMY KOPLETON, Acting Chief of the
New Jersey Bureau of Securities¹,

Plaintiff,

v.

DAVID A. TALBOT, Individually and
as a member of His Glory
Worldwide, LLC and as a manager
of Prima Art International, Inc.;
ROBERT SCHROY, Individually and
as a director of Jesus Rallies in
Chicagoland, Inc. and an officer of:
Worldwide Marketing Network, Inc.;
KENNETH SIMMONS, Individually and
as an officer of International
Business Consulting, Inc. and
director of Jesus Rallies
in Chicagoland, Inc.;
WORLDWIDE MARKETING NETWORK, INC.,
a Nevada corporation;
HIS GLORY WORLDWIDE, LLC,

DEPOSIT DATE	3/9/09
NUMBER	
AMOUNT	\$ 5,000.00
Q.B.P.	<i>[Signature]</i>

[Handwritten signature]

Civil Action

**FINAL JUDGMENT AND
CONSENT ORDER AS TO
DEFENDANT KENNETH SIMMONS**

¹This action was commenced on behalf of former Chief of the New Jersey Bureau of Securities, Vincent J. Oliva. In accordance with R. 4:34-4, the caption has been revised to reflect the current Acting Chief of the New Jersey Bureau of Securities.

a Nevada limited liability :
company; :
JESUS RALLIES IN CHICAGOLAND, INC., :
an Illinois corporation; :
PRIMA ART INTERNATIONAL, INC., :
a New Jersey limited liability :
company; :
and INTERNATIONAL BUSINESS :
CONSULTING, INC., :
a Nevada corporation, :
:
Defendants. :

This matter was presented to the Court by Anne Milgram, Attorney General of New Jersey, on behalf of Vincent J. Oliva, the former Chief of the New Jersey Bureau of Securities ("Bureau"), (Deputy Attorney General Toral Makani Joshi, appearing), pursuant to N.J.S.A. 49:3-69(a), R. 4:52-1 and R. 4:67 for violations of the New Jersey Uniform Securities Law (1997), N.J.S.A. 49:3-47 et seq., ("Securities Law") and on the application of Anne Milgram, Attorney General of New Jersey, on behalf of the Chief of the Bureau, by Order to Show Cause, on September 19, 2008, this Court issued an Order Granting Plaintiff Preliminary Injunctive Relief Against Defendants.

Defendants Kenneth Simmons ("Simmons") and International Business Consulting, Inc. ("International Business") (represented by Christopher M. Cullen, Esq.), and Plaintiff have agreed to resolve any and all issues in controversy in this action, on the terms set forth in this Final Judgment and Consent Order, which terms have, with the consent of the Bureau Chief and defendant Simmons, been

reviewed and approved by the Honorable Robert P. Contillo, J.S.C., as confirmed by the entering of this Final Judgment and Consent Order.

Solely for the purpose of settling this proceeding, and without defendant Simmons admitting the allegations set forth in Plaintiff's Verified Complaint and without admitting or denying the findings set forth below, Amy Kopleton, the Acting Bureau Chief, makes the following findings of fact and conclusions of law:

- a) From approximately March 2007 through October 2007, Robert Schroy ("Schroy") and David A. Talbot ("Talbot") raised money from at least ten (10) investors by selling unregistered securities, in the form of investment contracts. Over \$500,000.00 was raised from the sale of investment contracts, which promised investors high yield returns upon the successful conclusion of an Asset Enhancement Contract. Defendants Schroy, Talbot and Simmons misappropriated investor funds by using it for their own (or their families') personal benefit. No money was ever invested, as the investment did not exist;
- b) Simmons is the President of International Business and was on the Board of Directors of Jesus Rallies in Chicagoland, Inc.;
- c) Simmons, through the International Business account, received approximately \$70,500.00 of investor money that

originated from Schroy's and Talbot's conduct referenced in paragraph (a) above, and used the investor money for his or his family's own personal benefit.

d) Simmons and others employed a scheme in violation of N.J.S.A. 49:3-52(a) to defraud investors by:

i. failing to disclose or misrepresenting the nature and the risks of the investments to investors, when in truth and in fact there was no investment;

i. continuing to mislead investors regarding their investments; and/or

iii. misappropriating investor funds for personal benefit and use; and

e) Simmons and others engaged in conduct in violation of N.J.S.A. 49:3-52(c), by among other things, misrepresenting the nature and risks of the investments, when in reality there was no investment, failing to return investor funds while misappropriating investors funds for personal expenses and use, operated as a fraud and/or deceit upon the investors.

IT IS on this 26 day of February, 2009,

ORDERED AND AGREED:

PERMANENT INJUNCTIVE RELIEF

1. Defendants Simmons and International Business, individually and by or through any corporation, business

entity, agent, employee, broker, partner, officer, director, attorney, stockholder and/or any other person who is directly or indirectly under their control or direction, are permanently restrained and enjoined from directly or indirectly violating the Securities Law and, specifically, from:

- i. engaging in the securities business in New Jersey in any capacity, including, but not limited to, acting as a broker-dealer, agent, investment adviser, investment adviser representative or otherwise;
- ii. issuing, offering the sale or selling, offering to purchase or purchasing, distributing, promoting, advertising, soliciting, negotiating, advancing the sale of and/or promoting securities, or advising regarding the sale of any securities, in any manner to, from, or within the State of New Jersey; and
- iii. engaging in the conduct described in Plaintiff's Verified Complaint filed in this matter.

RESTITUTION AND CIVIL MONETARY PENALTY

2. Defendants Simmons and International Business are jointly and severally liable to disgorge the sum of \$70,500.00 ("Restitution Amount"), which is money due to investors for restitution, pursuant to N.J.S.A. 49:3-69(a). The Restitution Amount is based upon Simmons's accounting and certification that

has been submitted to the Bureau Chief ("Simmons's Certification") and is incorporated by reference.

3. Defendant Simmons is assessed a civil monetary penalty, pursuant to N.J.S.A. 49:3-70.1, in the amount of \$25,000.00.

4. Defendant Simmons shall pay the Restitution Amount and civil monetary penalty in the following manner:

- i. An initial payment of \$3,000.00 due upon the signing of this Final Judgment and Consent Order; and
- ii. At least \$500.00 on the first day of each month, beginning March 1, 2009, until both the Restitution Amount and the civil monetary penalty are paid in full. However, if defendant Simmons pays the Restitution Amount of \$70,500.00 in full by April 3, 2017, then the \$25,000.00 civil monetary penalty due to the Bureau will be suspended and no further monies will be due or owed to the Bureau.

5. All payments shall be made by certified check, attorney trust account check, or other guaranteed funds, payable to "Bureau of Securities, State of New Jersey" and delivered to the attention of the Bureau Chief, at the following address: Bureau of Securities, 153 Halsey Street, 6th Floor, Newark, New Jersey 07102. Default will be deemed to have occurred if the Bureau does not receive a timely monthly payment. Furthermore, in the event that defendant Simmons fails to make all or any portion of payments to

the Bureau as set forth in paragraph 4 in a timely manner, all unpaid amounts due and payable under this Final Judgment and Consent Order shall immediately be accelerated and due under this Final Judgment and Consent Order without the need for notice or presentment. In addition to the relief provided for in this paragraph, this default shall also entitle plaintiff to move for an order directing defendant Simmons' compliance and any other relief in aid of litigant's rights, including the imposition of attorneys' fees incurred by Plaintiff in bringing the motion and subsequent efforts to collect this judgment.

6. The Bureau Chief has relied on the representations made by Simmons, individually and/or through his counsel, regarding Simmons' conduct and financial status. If the Bureau Chief determines that any representation made by Simmons was false in any respect, then the Bureau Chief may, upon seven (7) business days written notice to Simmons (which notice shall constitute good and sufficient notice if given by facsimile or electronic mail to Christopher Cullen, Esq. or, if he is no longer representing Simmons, by overnight mail to Simmons at Simmons's last known address), move for an order vacating this Final Judgment and Consent Order. If the Court grants the motion then: (a) the Bureau shall have one year from entry of the granting of the motion to re-file a complaint or take administrative action against Simmons; and (b) Simmons shall be precluded from asserting any time defenses.

FINAL JUDGMENT

7. As such, final judgment in the amount of \$95,500.00 is entered against defendant Kenneth Simmons, representing \$70,500.00 in restitution pursuant to N.J.S.A. 49:3-69(a) (2) and \$25,000.00 as a civil monetary penalty pursuant to N.J.S.A. 49:3-70.1.

GENERAL PROVISIONS

8. The parties acknowledge that for the purpose of enforcement of this Final Judgment and Consent Order, New Jersey law shall govern the terms and provisions herein.

9. Beginning December 1, 2008 and until such time as defendant Simmons' obligations are fulfilled under this Final Judgment and Consent Order, defendant Simmons shall advise the Bureau of the current street address of where he resides, whether in the United States or abroad.

10. The parties represent that an authorized representative of each has signed this Final Judgment and Consent Order with full knowledge, understanding and acceptance of its terms and that this person has done so with authority to legally bind the respective party.

11. This Final Judgment and Consent Order is entered into by the parties as their own free and voluntary act and with full knowledge and understanding of the obligations and duties imposed by this Final Judgment and Consent Order.

12. Nothing in this Final Judgment and Consent Order shall in any manner be construed to limit or affect the rights of any persons who may have a claim against defendant Simmons. The amount of any such claim shall be reduced by any amounts paid to such persons from other sources, including any restitution paid pursuant to this Final Judgment and Consent Order.

13. No employee or official of, or person representing, the Bureau of Securities or the State of New Jersey has made any additional promise or representation to defendant Simmons regarding this Final Judgment and Consent Order.

14. The parties have negotiated, jointly drafted and fully reviewed the terms of this Final Judgment and Consent Order and the rule that uncertainty or ambiguity is to be construed against the drafter shall not apply to the construction or interpretation of this Final Judgment and Consent Order.

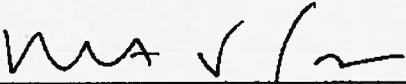
15. As used in this Final Judgment and Consent Order, the plural shall include the singular and the singular shall include the plural. In addition, "or" and "and" shall be interpreted conjunctively.

16. Except as otherwise explicitly provided in this Final Judgment and Consent Order, nothing herein shall be construed to limit the authority of the Attorney General to protect the interests of the State or the people of the State.

17. If any portion of this Final Judgment and Consent Order is held invalid or unenforceable by operation of law, the remaining terms of this Final Judgment and Consent Order shall not be affected.

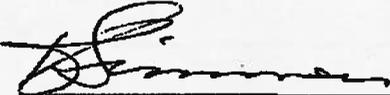
18. Defendant Simmons shall not represent or imply that any business practice or other act or practice hereinafter used or engaged in by him has been required or approved, in whole or part, by the Attorney General, the Bureau of Securities, the State of New Jersey or any of the State's agencies, agents or subdivisions.

19. Unless otherwise prohibited by law, any signatures by the parties required for entry of this Final Judgment and Consent Order may be executed in counterparts, each of which shall be deemed an original, but all of which shall together be one and the same Final Judgment and Consent Order.



Honorable Robert P. Contillo, J.S.C.

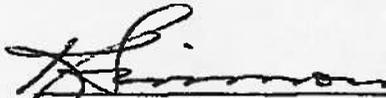
Consent to the Form, Content
and Entry of this Final Judgment and Consent Order:



Kenneth Simmons, Individually

Dated: 2/04/09

Consent to the Form, Content
and Entry of this Final Judgment and Consent Order:

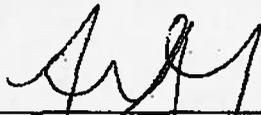


Dated: 2/04/09

Kenneth Simmons, as an officer or director of
International Business Consulting, Inc.

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY

By:



Toral Makani Joshi
Deputy Attorney General

Dated: 2/26/09