DISTRICT COURT, CITY AND COUNTY OF DENVERSE NUMBER: 2019CV33770 **COLORADO** 1437 Bannock Street Denver, CO 80202 DAVID S. CHEVAL, Acting Securities Commissioner for the State of Colorado, Plaintiff, v. MARK RAY; REVA STACHNIW; RON THROGMARTIN; CUSTOM CONSULTING & PRODUCT SERVICES, LLC; RM FARM & LIVESTOCK, LLC; MR CATTLE PRODUCTION SERVICES, LLC; SUNSHINE ENTERPRISES; UNIVERSAL HERBS, LLC; DBC LIMITED, LLC, COURT USE ONLY Defendants. Case No.: 19CV33770 Courtroom: 209

ORDER OF PERMANENT INJUNCTION AND OTHER RELIEF CONCERNING DEFENDANTS REVA STACHNIW, RM FARM & LIVESTOCK, LLC ("RM FARM"), AND SUNSHINE ENTERPRISES

THIS MATTER comes before the Court upon the Stipulation for Permanent Injunction and Other Relief ("Stipulation") entered into between David S. Cheval, Acting Securities Commissioner for the State of Colorado and Defendants Reva Stachniw, RM Farm & Livestock, LLC, ("RM Farm"), and Sunshine Enterprises (collectively the "Stipulating Defendants").

Based on the Stipulation, and being duly advised in the premises, the Court hereby finds that the Stipulation provides for a fair, just, and expeditious resolution of the claims asserted by the Commissioner against the Stipulating Defendants.

## THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Court has jurisdiction over the Stipulating Defendants and the subject matter of this action.

- 2. The Court so finds that based upon the admissions in the Stipulation for purposes of this proceeding the following facts necessary to establish jurisdiction:
  - a. The Court has jurisdiction over the Stipulating Defendants and the subject matter of this proceeding.
  - b. The investments offered and sold by Defendants in connection with RM Farm and Sunshine Enterprises are "securities," as that term is defined in § 11-51-201(17), C.R.S.
  - c. The securities were not registered with the Division, or a notice of exemption to registration was not filed.
  - d. Reva Stachniw was not licensed as a sales representative at the time of the offer and sale of securities.
  - e. RM Farm and Sunshine Enterprises were not licensed as a broker-dealer at the time of the offer and sale of the securities.
- 3. The Stipulating Defendants, their agents, servants, employees, and successors, as may be; any person who, directly or indirectly, through one or more intermediaries, controls or is controlled by, or is under the common control with the Stipulating Defendants; and all those in active concert or participation with the Stipulating Defendants, who receive actual notice of this Order by personal service or otherwise, are hereby immediately and permanently restrained and enjoined from engaging, directly or indirectly, in any of the following acts:
  - a. Offering to sell or selling any securities or investments in the State of Colorado, unless such securities or investments are registered pursuant to sections 11-51-302, 303, or 304, C.R.S., or successor statutes, or exempt from registration pursuant to sections 11-51-307, 308, or 309, C.R.S., or successor statutes; or
  - b. Engaging in business in the State of Colorado as a securities broker-dealer, sales representative, investment adviser, or investment adviser representative, as may be, in violation of 11-51-401 and 402, C.R.S., or successor statutes; or
  - c. In connection with the offer, sale, or purchase of any security in the State of Colorado, directly or indirectly:
    - i. employing any device, scheme, or artifice to defraud; or
    - ii. making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading; or

iii. engaging in any act, practice, or course of business which operates or would operate as a fraud and deceit upon any person;

in violation of § 11-51-501(1), C.R.S., or successor statutes.

- d. Engaging in conduct otherwise in violation of the Colorado Securities Act.
- 4. The Stipulating Defendants shall comply with the provisions of the Stipulation attached hereto, and such Stipulation shall be incorporated into and made a part of this Order as if fully stated herein.
- 5. The Court shall retain jurisdiction over this action to ensure the Settling Defendants' compliance with this Order and the Stipulation, and it reserves the power to enter additional orders to effectuate and to ensure the Settling Defendants' compliance with this Order and Stipulation.
- 6. The Settling Defendants' failure to comply with this Order or the Stipulation may constitute grounds for further sanctions against them, including the sanction of contempt.

DONE this 4th day of November, 2019.

BY THE COURT:

Kandace C. Gerdes
District Court Judge