

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 65673 / November 2, 2011**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-14612**

**In the Matter of**

**DANIEL W. NODURFT, ESQ.,**

**Respondent.**

**ORDER INSTITUTING ADMINISTRATIVE  
PROCEEDINGS PURSUANT TO RULE  
102(e) OF THE COMMISSION'S RULES  
OF PRACTICE, MAKING FINDINGS, AND  
IMPOSING REMEDIAL SANCTIONS**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted against Daniel W. Nodurft, Esq. (“Respondent” or “Nodurft”) pursuant to Rule 102(e)(3)(i) of the Commission’s Rules of Practice.<sup>1</sup>

**II.**

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Section III.3 below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Rule 102(e)

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<sup>1</sup> Rule 102(e)(3)(i) provides, in relevant part, that:

The Commission, with due regard to the public interest and without preliminary hearing, may, by order . . . suspend from appearing or practicing before it any attorney . . . who has been by name . . . permanently enjoined by any court of competent jurisdiction, by reason of his or her misconduct in an action brought by the Commission, from violating or aiding and abetting the violation of any provision of the Federal securities laws or of the rules and regulations thereunder.

of the Commission's Rules of Practice, Making Findings, and Imposing Remedial Sanctions ("Order"), as set forth below.

### III.

On the basis of this Order and Respondent's Offer, the Commission finds that:

1. Nodurft, age 56, resides in Harahan, Louisiana, and is a licensed attorney with the Louisiana bar. From the incorporation of Aerokinetic Energy Corporation ("Aerokinetic" or the "Company") in December 2005 until May 2007, Nodurft served as Aerokinetic's vice-president, and thereafter became its secretary. Nodurft also served as Aerokinetic's general counsel from its inception until early 2008 when he agreed with the Florida bar not to serve as or hold himself out as a general counsel for a Florida corporation.

2. Aerokinetic was, at all relevant times, a Florida corporation with its principal place of business in Sarasota, Florida. Aerokinetic purported to be in the business of researching, developing, and marketing alternative technologies and products. The Company offered its securities to the general public, primarily through the solicitations of two promoters.

3. On October 14, 2011, a final judgment was entered against Nodurft, permanently enjoining him from violating Section 5 of the Securities Act of 1933 ("Securities Act) and Sections 17(a)(2) and 17(a)(3) of the Securities Act in the action entitled Securities and Exchange Commission v. Nodurft, Civil Action Number 8:08-CV-1409, in the United States District Court for the Middle District of Florida. Nodurft was also ordered to pay a \$50,000 civil money penalty.

4. The Commission's complaint alleged, among other things, that Nodurft violated the registration and antifraud provisions of the securities laws in connection with Aerokinetic's fraudulent unregistered offering of securities. The complaint also alleged that Aerokinetic made numerous material misrepresentations and omissions to investors and prospective investors regarding, among other things, its purported "power generation" technology, the capabilities of its two primary products, and its purported success. The complaint further alleged that the Company disseminated baseless financial projections and made material misrepresentations about its operations and its president's personal use of investor funds.

### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Nodurft's Offer.

Accordingly, it is hereby ORDERED, effective immediately, that:

Nodurft is suspended from appearing or practicing before the Commission as an attorney.

By the Commission.

Elizabeth M. Murphy  
Secretary