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

### SECURITIES EXCHANGE ACT OF 1934 Release No. 51774 / June 2, 2005

### ADMINISTRATIVE PROCEEDING File No. 3-11939

In the Matter of

David Rich, Cris Sagnelli, Ray Hutchinson, Daniel Bender, Frank Dickey, and George Doumanis,

**Respondents.** 

### ORDER INSTITUTING ADMINISTRATIVE PROCEEDINGS PURSUANT TO SECTION 15(b) OF THE SECURITIES EXCHANGE ACT OF 1934, 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 pursuant to Section 15(b) of the Securities Exchange Act of 1934 ("Exchange Act") against David Rich ("Rich"), Cris Sagnelli ("Sagnelli"), Ray Hutchinson ("Hutchinson"), Daniel Bender ("Bender"), Frank Dickey ("Dickey"), and George Doumanis "(Doumanis") (collectively the "Respondents").

#### II.

In anticipation of the institution of these proceedings, Respondents have each 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 them and the subject matter of these proceedings, and the findings contained in Sections III.A.3 with respect to Rich, which are admitted by Rich, III.B.3 with respect to Sagnelli, which are admitted by Sagnelli, III.C.3 with respect to Hutchinson, which are admitted by Hutchinson, III.D.3 with respect to Bender, which are admitted by Bender, III.E.3 with respect to Dickey, which are admitted by Dickey, and III.F.3 with respect to Doumanis, which are admitted by Doumanis, Respondents consent to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities

Exchange Act of 1934, Making Findings, and Imposing Remedial Sanctions ("Order"), as set forth below.

### III.

On the basis of this Order and Respondents' Offers, the Commission finds that

A. <u>Rich</u>

1. Rich was the chief executive and a principal shareholder of Integrated Homes, Inc., ("INHI") from on or about February 9, 2001 through on or about April 16, 2001. Rich, 39 years old, is a resident of Linwood, New Jersey.

2. Rich participated in an offering of INHI, which is a penny stock.

3. On April 30, 2003, Rich pled guilty to one count of conspiracy to commit wire fraud, mail fraud and securities fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of Florida, in <u>United States v.</u> <u>David Rich</u>, Criminal Indictment No. 02-20452. On September 12, 2003, a judgment in the criminal case was entered against Rich. Rich was sentenced to a prison term of fourteen months followed by two years of supervised release.

4. The count of the criminal indictment to which Rich pled guilty alleged, <u>inter</u> <u>alia</u>, that Rich and his co-defendants conspired to unjustly enrich themselves by defrauding an offshore mutual fund, by artificially affecting the supply and demand for INHI stock and by inflating the price of INHI stock through illegal means. The count of the criminal indictment also alleged that the purpose and object of the conspiracy was for Rich and his co-defendants to unjustly enrich themselves by defrauding the public shareholders of INHI.

## B. <u>Sagnelli</u>

1. Sagnelli was a stock promoter who presented prospective stock deals to investment funds and others from, in or about July 2000, to in or around late May 2001. Sagnelli, 39 years old, is a resident of Boca Raton, Florida.

2. Sagnelli participated in an offering of four penny stocks: SeaEscape Entertainment, Inc. ("SEPI"), INHI, FoneCash, Inc. ("FCSH") and A1 Internet.com, Inc. ("AWON").

3. On November 15, 2002, Sagnelli pled guilty to one count of conspiracy to commit wire fraud, mail fraud and securities fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of Florida, in <u>United States v. Cris Sagnelli</u>, Case No. 02-60164-CR-DIMITROULEAS. On September 5, 2003, a judgment in the criminal case was entered against Sagnelli. Sagnelli was sentenced to probation

for a term of five years, eight months of home detention, other special conditions of supervision and 250 hours of community service. Sagnelli was also assessed \$100.

4. The count of the Superseding Information to which Sagnelli pled guilty alleged, <u>inter alia</u>, that Sagnelli and others conspired to unjustly enrich themselves by defrauding a fictitious foreign mutual fund through the payment of undisclosed kickbacks to certain persons affiliated with the mutual fund and defrauding the shareholders of SEPI, INHI, FCSH and AWON by artificially affecting the supply and demand for these stocks so as to inflate the market price of such stock through illegal means.

# C. <u>Hutchinson</u>

1. Hutchinson was a stock promoter and a controlling shareholder of AWON from on or about February 15, 2001 through on or about March 15, 2001. Hutchinson, 35 years old, is a resident of Davidson, North Carolina.

2. Hutchinson participated in the offering of AWON, which is a penny stock. Effective October 15, 2001, AWON changed its corporate name to WorldTeq Group International, Inc.

3. On January 8, 2003, Hutchinson pled guilty to one count of conspiracy to commit wire fraud, mail fraud and securities fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of Florida, in <u>United States v. Ray Hutchinson</u>, Criminal Indictment No. 02-20454. On May 28, 2003, a judgment in the criminal case was entered against Hutchinson. Hutchinson was sentenced to a prison term of seven months followed by two years of supervised release that included 60 days of participation in the Home Detention Electric Monitoring program. Hutchinson was also ordered to pay a fine in the amount of \$4,000.

4. The count of the criminal indictment to which Hutchinson pled guilty alleged, <u>inter alia</u>, that Hutchinson and his co-defendants conspired to unjustly enrich themselves by defrauding an offshore mutual fund, by artificially affecting the supply and demand for AWON stock and by inflating the price of AWON stock through illegal means. The count of the criminal indictment also alleged that the purpose and object of the conspiracy was for Hutchinson and his co-defendants to unjustly enrich themselves by defrauding the public shareholders of AWON.

## D. <u>Bender</u>

1. Bender was the president, chief executive officer and a director of Digital Concepts International, Inc. ("DCII") from in or about January 2001 to in or about August 2001. Bender, 60 years old, is a resident of Valley Center, California.

2. Bender participated in an offering of DCII, which is a penny stock.

3. On April 7, 2003, Bender pled guilty to one count of conspiracy to commit wire fraud, mail fraud and securities fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of California, in <u>United States v.</u> <u>Daniel Bender</u>, Criminal Indictment No. 03-CR-534-ALL. On August 22, 2003, a judgment in the criminal case was entered against Bender. Bender was sentenced to a prison term of five months followed by three years of supervised release. Bender was also ordered to pay a fine in the amount of \$4,000.

4. The count of the criminal indictment to which Bender pled guilty alleged, <u>inter alia</u>, that Bender and his co-defendant conspired to unjustly enrich themselves by defrauding a fictitious offshore mutual fund, through paying undisclosed kickbacks to an undercover agent of the Federal Bureau of Investigations and certain persons affiliated with the fund, in exchange for their causing the fund to purchase a large amount of overpriced DCII stock.

### E. <u>Dickey</u>

1. Dickey was the president and chief executive officer of Equity Technologies & Resources, Inc. ("ETCR") from, in or about August 1999 to in or about August 2002. Dickey, 61 years old, is a resident of Lexington, Kentucky.

2. Dickey participated in an offering of ETCR stock, a penny stock.

3. On December 6, 2002, Dickey pled guilty to one count of conspiracy to commit securities fraud in violation of Title 18 United States Code, Section 371 before the United States District Court for the Southern District of Florida, in <u>United States v. Frank Dickey, Jr., et al.</u>, Criminal Indictment No. 02-60165-CR-DIMITROULEAS(s). On September 19, 2003, a judgment in the criminal case was entered against Dickey. Dickey was sentenced to a prison term of six months followed by three years of supervised release, including six months of home detention. Dickey was also assessed \$100.

4. The count of the criminal indictment to which Dickey pled guilty alleged, <u>inter alia</u>, that Dickey and his co-defendants conspired to defraud a fictitious foreign mutual fund through paying undisclosed kickbacks to certain persons affiliated with the mutual fund in exchange for causing the mutual fund to purchase large amounts of overpriced ETCR stock.

### F. <u>Doumanis</u>

1. Doumanis was the president of SG Martin, a broker-dealer registered with the Commission and located in Westbury, New York from on or about February 9, 2001 through on or about April 16, 2001. Doumanis, 46 years old, is a resident of New York State.

2. Doumanis participated in the offering of INHI, a penny stock.

3. On April 30, 2003, Doumanis pled guilty to one count of conspiracy to commit wire fraud, mail fraud and securities fraud in violation of Title 18 United States Code,

Section 371 before the United States District Court for the Southern District of Florida, in <u>United</u> <u>States v. George Doumanis</u>, Criminal Indictment No. 02-20452. On September 12, 2003, a judgment in the criminal case was entered against Doumanis. Doumanis was sentenced to a prison term of fourteen months followed by two years of supervised release.

4. The count of the criminal indictment to which Doumanis pled guilty alleged, <u>inter alia</u>, that Doumanis and his co-defendants conspired to unjustly enrich themselves by defrauding an offshore mutual fund, by artificially affecting the supply and demand for INHI stock and by inflating the price of INHI stock through illegal means. The count of the criminal indictment also alleged that the purpose and object of the conspiracy was for Doumanis and his co-defendants to unjustly enrich themselves by defrauding the public shareholders of INHI.

#### IV.

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

Accordingly, it is hereby ORDERED:

Respondents Rich, Sagnelli, Hutchinson, Bender, Dickey, and Doumanis be, and hereby are, barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Pursuant to Section 15(b)(6) of the Exchange Act, that Respondent Doumanis be, and hereby is barred from association with any broker or dealer.

Any reapplication for association by Respondent Doumanis will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against Respondent Doumanis, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Jonathan G. Katz Secretary