

**COMMONWEALTH OF KENTUCKY  
ENVIRONMENTAL & PUBLIC PROTECTION CABINET  
OFFICE OF FINANCIAL INSTITUTIONS  
AGENCY CASE NO. 2005-AH-021**

OFFICE OF FINANCIAL INSTITUTIONS

PETITIONER

v.

JEWELL ROBBINS, a/k/a JEWELL A. BURGIN

RESPONDENTS

and

B. D. & J. ENTERPRISES, INC.

And

WILLIAM P. BURGIN, PRESIDENT OF

B. D. & J. ENTERPRISES, INC.

**ORDER TO SHOW CAUSE**

\* \* \* \* \*

**Allegations of Fact**

1. The Petitioner, Office of Financial Institutions (hereinafter referred to as the "OFI"), is the agency of state government charged with the enforcement of KRS Chapter 292, the Kentucky Securities Act.

2. The Respondent, Jewell Robbins a/k/a Jewell A. Burgin (hereinafter referred to as "Robbins"), resides at 128 Barkley Estates, Nicholasville, Kentucky 40356.

3. The Respondent, B. D. & J. Enterprises, Inc. (hereinafter referred to as the "movie company") is a Kentucky corporation which lists as its principle address, P.O. Box 54333, Lexington, KY 40505 and lists as its registered agent William P. Burgin, 128 Barkley Estates, Nicholasville, KY 40356.

4. The Respondent, William P. Burgin, resides at 128 Barkley Estates, Nicholasville, KY 40356 and is the President of B. D. & J. Enterprises, Inc.

5. On or about July 9, 2002, in Duval County, Texas, Jewell Robbins and others obtained a judgment by default against City National Bank of Wichita Falls for compensatory damages in the amount of \$767,601.00 and punitive damages in the amount of \$500,000.00. City National Bank of Wichita Falls was defunct when said judgment was obtained and, in fact, no such entity existed when suit was filed nor when judgment was obtained. Since July 9, 2002, Jewell Robbins has sold percentage interests in said judgment to residents of the Commonwealth of Kentucky and from this state to residents in other states. While Robbins does not guarantee that the judgment is collectible, neither does she inform investors or potential investors that judgment is uncollectible. The interests in this judgment constitute "investment contracts" under the Kentucky Securities Act and at common law and neither the investment contracts nor the sellers of the contracts have been registered with the OFI.

6. Through a corporation known as B. D. & J. Enterprises, Inc. (hereinafter referred to as the "company"), Jewell Robbins a/k/a Jewell A. Burgin, William P. Burgin, and other officers and employees of said corporation have endeavored to sell interests in a movie to be known as "Swindletop". Said interests have been sold to residents of Kentucky and from Kentucky to residents of other states. Said interests are securities as defined under the Kentucky Securities Act. These securities have not been registered for sale with the OFI nor have the sellers of same been registered as securities sales agents in this state.

## **Violation of Kentucky Statutes**

1. KRS 292.340 provides, "It is unlawful for any person to offer or sell any security in this state, unless the security is registered under this chapter, or the security or transaction is exempt under this chapter, or the security is a covered security." Interests in the Texas court judgment have been offered and sold in this state by Robbins even though the interests have not been registered nor has a claim of exemption been made. Interests in the proposed movie have been offered and sold by Robbins, Burgin, and the company although same have not been registered nor has a claim been made that same are exempt from registration.

2. KRS 292.330 provides, "It is unlawful for any person to transact business in this state as a broker-dealer or agent, unless the person is registered under this chapter." Neither Robbins, Burgin nor the company is registered to transact business in this state as a broker dealer or agent even though each has offered and sold securities in this state.

3. KRS 292.320(1) provides, "It is unlawful for any person, in connection with the offer, sale, or purchase of any security, directly or indirectly: (b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading." Robbins failed to inform investors and potential investors of the true nature of the default judgment she obtained against the City National Bank of Wichita Falls and failed to inform investors and potential investors that this judgment was uncollectible. Robbins failure to disclose material facts to investors mislead them to believe that they could recoup their investment when they could not.

Robbins, Burgin, and the company failed to disclose to potential investors that the contemplated movie, "Swindletop", had no script, no producer, no director nor any professional personnel hired to bring this project to fruition. While investors are free to invest in a worthless venture, they must however be apprised of the material facts relating to the investment; the interests being sold must be registered or claimed as exempt; and, the person selling the interests must be registered to sell them.

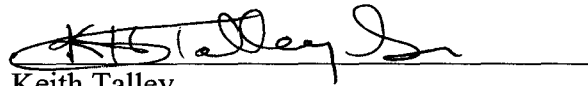
### **Relief Requested**

1. Before any of the Respondents named herein continue to sell any of the securities described herein, they shall properly register those securities and the persons selling same pursuant to the provisions of KRS Chapter 292 and the regulations adopted thereunder.
2. Robbins shall forthwith offer rescission to each investor in the scheme to sell interests in the City National Bank of Wichita Falls legal judgment.
3. Robbins, Burgin, and the company shall forthwith offer rescission to each investor in the scheme to sell interests in a contemplated movie to be entitled "Swindletop".

### **ORDER TO SHOW CAUSE**

Within twenty (20) of your receipt of this Order to Show Cause you shall present written reasons to the Acting Director of the Office of Financial Institutions as to why the Relief Requested above should not be granted against you. If your response questions the above enumerated allegations, the statutory violations or the relief requested herein, it

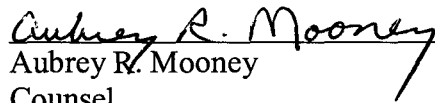
will be accepted as your legal answer and will be accepted as your request for a hearing in this matter. You are informed that any hearing granted will be conducted pursuant to the provisions of KRS Chapter 13B. You have the right to be represented by counsel at all stages of the legal process and you have a right to examine, at least five (5) days before any hearing in this matter, all evidence intended to be produced by the Petitioner. Should you fail to request a hearing in this matter or fail to respond to this Order to Show Cause within twenty (20) days of your receipt thereof or fail to participate in any stage of the administrative hearing process, you shall be deemed in default and the Petitioner shall be granted the relief requested.

A handwritten signature in black ink, appearing to read "Keith Talley", is written over a horizontal line.

Keith Talley  
Acting Executive Director  
Office of Financial Institutions  
1025 Capital Center Dr., Suite 200  
Frankfort, KY 40601  
(502) 573-3390  
Facsimile (502) 573-2183

### Certificate

I, Aubrey R. Mooney, certify that a copy of the foregoing Order to Show Cause was mailed certified, return receipt requested, to Jewell Robbins a/k/a Jewell A. Burgin, 128 Barkley Estates, Nicholasville, KY 40356, to William P. Burgin, 128 Barkley Estates, Nicholasville, KY 40356, and to B. D. & J. Enterprises, Inc. by serving its process agent, William P. Burgin, 128 Barkley Estates, Nicholasville, KY 40356 this 23 day of August, 2005.

  
Aubrey R. Mooney  
Counsel  
Office of Financial Institutions