

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

**IN THE MATTER OF: MICHAEL G. BRCIK JR., MARY
WEBER and FULL MOON DEVELOPMENT, LLC and
its managers, officers, affiliates, subsidiaries, representatives,
successors, and assigns.**

FILE NO. 0900335

TEMPORARY ORDER OF PROHIBITION

TO RESPONDENTS:

**Michael G. Brcik Jr.
807 11th Avenue
Addison, Illinois 60101**

**Full Moon Development, LLC
807 11th Avenue
Addison, Illinois 60101**

**Mary Weber a/k/a Mary Brcik
384 Hancock Drive
P.O. Box 863
New Lenox, Illinois 60451**

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, ("Securities Department") herein find:

1. Respondent Michael G. Brcik, Jr. ("Brcik") is a natural person with a last known address of 807 11th Avenue, Addison, Illinois 60101.
2. Respondent Brcik also does business as Full Moon Development, LLC ("Full Moon") which is an Illinois Corporation with a last known address of 807 11th Avenue, Addison, Illinois 60101.
3. Respondent Mary Weber a/k/a Mary Brcik ("Weber") is a natural person with a last known address of 384 Hancock Drive, P.O. Box 863, New Lenox, Illinois 60451. Weber is the mother of Respondent Brcik, a listed member of Full Moon Development, LLC, and had signatory authority on the Full Moon Bank of America checking account.
4. Respondent Brcik solicited at least one Illinois Investor to provide him with funds to invest in ID Interactive, LLC ("Interactive") located at 1801 South Federal Highway, Suite 300, Delray Beach, Florida 33483.

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5. In addition, the Respondent Brcik solicited at least three other Investors from the states of California and Connecticut.
6. Respondent Brcik represented to all of the Investors that the investment funds would be used to purchase slot machines and/or gaming machines from Interactive which he would personally own and operate. The Respondent would pay the interest to the Investors with profits generated from the machines.
7. The Respondent Brcik offered and sold promissory notes to the Investors for a combined total of \$300,000.00. The Respondent proposed that the initial investment would be used to invest in Interactive with monthly interest payments paid out to each Investor. The principal sum would be returned to the Investors plus any interest still owed during the time specified by each promissory note.
8. At the direction of Respondent Brcik, the Investors withdrew the investment funds from their individual bank accounts or retirement accounts and wired the funds to Respondent Brcik's Full Moon Bank of America account.
9. To date, the Respondents have failed to pay back to the Investors their initial investment and the interest due on the note.
10. Respondents' activities described above involve the offer and sale of a promissory notes as those terms are defined in Sections 2.1, 2.5, and 2.5a of the Illinois Securities Law of 1953 [815 ILCS] (the "Act").

COUNT I

FRAUD

FAILURE TO DISCLOSE FEDERAL INDICTMENT, ARREST, & JUDGMENT TO ILLINOIS INVESTOR IN CONNECTION WITH THE SALE OF SECURITIES

11. On February 26, 2008, the Respondent Brcik directed the Illinois Investor to wire \$50,005.13 from her Vanguard retirement account to Full Moon's Bank of America account.
12. Prior to this transaction, on February 14, 2008, an indictment was filed in the United States District Court, Eastern District of Missouri, Eastern Division, against Michael Brcik for two counts of felony and misdemeanor interstate failure to pay child support, 18 USC 228(a)(1). The indictment alleged that Respondent Brcik failed to pay child support for his two children in the total amount of \$301,000.00. On February 26, 2009, the Honorable Judge Stephen N. Limbaugh entered a judgment against Michael Brcik, who pled guilty to the misdemeanor count on September 25, 2008. Michael Brcik was ordered by the Court to pay \$301,000.00 in restitution for failure to pay child support. In addition, Brcik was also put on probation for a total of five years.
13. At all relevant times, Respondent Brcik failed to disclose to the Illinois Investor the existence of the indictment for failure to pay child support.

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14. As a result, the above-mentioned omission of fact addresses Respondent Brcik's honesty, integrity, and financial capabilities to pay back the Illinois Investor.
15. Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in conjunction with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
16. By virtue of the foregoing, Respondent violated Section 12.F of the Act.
17. Section 12.G of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.
18. By virtue of the foregoing, Respondent violated Section 12.G of the Act.
19. Section 12.I of the Act provides, *inter alia*, that it shall be a violation of the Act to employ any device, scheme, or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly.
20. By virtue of the foregoing, Respondent violated Section 12.I of the Act.

COUNT II

FRAUD

FAILURE TO DISCLOSE MATERIAL INFORMATION TO INVESTORS IN CONNECTION WITH THE SALE OF SECURITIES

21. At no time did Respondents ever disclose to the Investors the risks involved with investing in the securities that Respondents were recommending.
22. Specifically, Respondent Brcik did not disclose at the time of sale that on March 8, 1995 the National Futures Association President issued a Notice of Intent to deny Brcik registration as a *floor broker applicant at the Chicago Mercantile Exchange ("CME")*. The CME found that from September 1989 to June 1990 Brcik acted on CME premises as an agent for a sports betting operation in violation of CME Rule 432q. The Subcommittee found that Brcik is subject to a statutory disqualification under Section 8a(3)(J) of the Commodity Exchange Act ("the Act"). Accordingly, the Subcommittee ordered that Brcik's floor broker registration be granted subject to conditions.

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23. As a result, the above-mentioned omission of fact addresses Respondent Breik's ability to comply with existing Securities Regulations.
24. Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in conjunction with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
25. By virtue of the foregoing, Respondent violated Section 12.F of the Act.
26. Section 12.G of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.
27. By virtue of the foregoing, Respondent violated Section 12.G of the Act.
28. Section 12.I of the Act provides, *inter alia*, that it shall be a violation of the Act to employ any device, scheme, or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly.
29. By virtue of the foregoing, Respondent violated Section 12.I of the Act.

COUNT III

FRAUD IN THE OFFER AND SALE OF SECURITIES

30. To date, the Investors have not received the principal the Respondents promised to pay on the note, nor have the Investors received any of the promised interest payments.
31. Specifically, the Respondent Breik promised to the Illinois Investor that he would make monthly interest payments in the amount of \$5,000.00 commencing on March 1, 2008 and continuing on the first day of each month thereafter until the principal sum together with all the accrued interest and all other sums required to be paid pursuant to the Note (collectively, the "Indebtedness") are paid in full on April 1, 2008. The April 1, 2008 interest payment of \$5,000.00 will be the final payment and the full principal sum of \$50,000.00 shall be repaid to the Illinois Investor on April 11, 2008.
32. Contrary to the representations Respondent Breik made to the Investors, the investment funds were never used to purchase slot machines or any other gaming machines from Interactive or any other company.
33. From August 27, 2007 to August 18, 2008, the Respondent Full Moon issued checks to Respondent Breik in the total amount of \$124,258.33. In addition, there are also records of automated teller machine ("ATM") cash withdrawals from Respondent Full Moon's bank account which totaled \$50,500.00.

34. To date, the Respondents have not provided any accounting of the investments to the Securities Department or the Investors.
35. Furthermore, the President of Interactive, Michael DeSalvo, stated that he never authorized the Respondent to solicit investment funds using his name or the name of his company. DeSalvo also revealed that he has not received any type of payment from the Respondent in connection with any product sold at Interactive.
36. The Respondents failed and refused to notify the Investors that it was converting the investment funds to their own use and benefit, instead of using it for the stated business purposes.
37. Section 12.F of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in conjunction with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
38. By virtue of the foregoing, Respondent violated Section 12.F of the Act.
39. Section 12.G of the Act provides, *inter alia*, that it shall be a violation of the Act for any person to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.
40. By virtue of the foregoing, Respondent violated Section 12.G of the Act.
41. Section 12.I of the Act provides, *inter alia*, that it shall be a violation of the Act to employ any device, scheme, or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly.
42. By virtue of the foregoing, Respondent violated Section 12.I of the Act.

COUNT IV

FAILURE TO REGISTER SECURITIES

43. Section 5 of the Act provides, *inter alia*, that "all securities except those set forth under Section 2a of this Act...or those exempt...shall be registered...prior to their offer or sale in this State.
44. Respondents Brcik, Weber, and Full Moon failed to file an application with the Secretary of State to register the promissory note as required by the Act, and as a result the promissory note were not registered as such prior to their sale in the State of Illinois.
45. Section 12.A of the Act provides, *inter alia*, that it shall be a violation of the Act to offer or sell any security except in accordance with the provisions of the Act.

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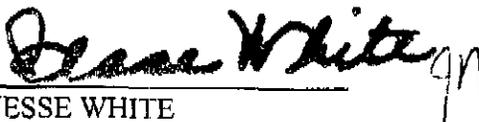
46. By virtue of the foregoing, Respondents violated Section 12.A of the Act.
47. Section 12.D of the Act provides, *inter alia*, that it shall be a violation of the Act to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of this Act or any rule or regulation made by the Secretary of State pursuant to the Act or to fail to comply with the terms of any order of the Secretary of State issued pursuant to Section 11 hereof.
48. By virtue of the foregoing, Respondents violated Section 12.D of the Act.
49. Section 11.F(2) of the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, ("the Act") provides, *inter alia*, that the Secretary of State may temporarily prohibit or suspend for a maximum period of 90 days, by an order effective immediately, the offer or sale of securities by any person, if the Secretary of State shall in his or her opinion, based on credible evidence, deem it necessary to prevent an imminent violation of this Act or to prevent losses to investors which the Secretary of State reasonably believes will occur as a result of a prior violation of this Act

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondents Brcik and Weber, doing business as Full Moon and his partners, officers and directors, agents, employees, affiliates, successors and assigns are temporarily **PROHIBITED** from offering or selling securities in or from this State.

NOTICE is hereby given that Respondents may request a hearing on this matter by transmitting such request in writing to Enforcement Attorney, Maria Pavone, Illinois Securities Department, 69 W. Washington Street, Suite 1220, Chicago, Illinois 60602. Such request must be made within thirty (30) calendar days of the date of entry of the Temporary Order of Prohibition. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION FINAL.

Dated: This 21st day of April, 2010.



JESSE WHITE
Secretary of State
State of Illinois

Maria Pavone
Enforcement Attorney
Office of the Secretary of State
Illinois Securities Department
69 W. Washington, Suite 1220
Chicago, Illinois 60602
Telephone: (312) 793-3022