

TRAVIS J. ILES
SECURITIES COMMISSIONER



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IN THE MATTER OF
WHISKEY & WEALTH CLUB LIMITED AKA
WHISKEY & WEALTH CLUB AKA WHISKY &
WEALTH CLUB; SCOTT SCIBERRAS; WILLIAM
FIELDING; ALEX MOOK; RICHARD FALCONER;
AND BENJAMIN DUNLOP

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Order No. ENF-22-CDO-1864

Whiskey & Wealth Club Limited aka Whiskey & Wealth Club aka Whisky & Wealth Club

Service by certified mail, return receipt requested, addressed to Ronak V. Patel, Bressler Amery & Ross, counsel, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

Scott Sciberras

Service by certified mail, return receipt requested, addressed to Ronak V. Patel, Bressler Amery & Ross, counsel, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

William Fielding

Service by certified mail, return receipt requested, addressed to Ronak V. Patel, Bressler Amery & Ross, counsel, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

Alex Mook

Service by certified mail, return receipt requested, addressed to Ronak V. Patel, Bressler Amery & Ross, counsel, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

Richard Falconer

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Benjamin Dunlop

Service by certified mail, return receipt requested, addressed to Ronak V. Patel, Bressler Amery & Ross, counsel, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

ORDER SETTING ASIDE EMERGENCY ORDER

Be it remembered that Whiskey & Wealth Club Limited aka Whiskey & Wealth Club aka Whisky & Wealth Club ("Respondent Whiskey & Wealth Club"); Scott Sciberras ("Respondent Sciberras"); William Fielding ("Respondent Fielding"); Alex Mook ("Respondent Mook"); Richard Falconer ("Respondent Falconer"); and Benjamin Dunlop ("Respondent Dunlop") (collectively referred to as "Respondents"), appeared before the Securities Commissioner of the State of Texas (hereinafter referred to as the "Securities Commissioner") and consented to this Agreed Order and the Findings of Fact and Order contained herein.

FINDINGS OF FACT

1. Respondents have waived (a) their rights to notice and hearing in this matter; (b) their rights to appear and present evidence in this matter; (c) their rights to appeal this order; and (d) all other procedural rights granted by the Securities Act, Tex. Gov't Code §§ 4001.001-4008.105 (formerly codified at Tex. Rev. Civ. Stat. Ann. Arts. 581-1-581-45)(the "Securities Act") and the Administrative Procedure Act, Tex. Gov't Code Ann. §§ 2001.001 to 2001.902 (the "Administrative Procedure Act").

SERVICE OF RESPONDENTS

2. Respondents are being served by certified mail, return receipt requested, addressed to counsel, Ronak V. Patel, Bressler Amery & Ross, at 500 West 2nd Street, 19th Floor, Austin, Texas 78701, and by electronic mail addressed to Ronak V. Patel, counsel, at rpatel@bressler.com.

PROCEDURAL HISTORY

3. On November 2, 2021, the Securities Commissioner entered Emergency Cease and Desist Order No. ENF-21-CDO-1853 (the "Emergency Order") against Respondents pursuant to Section 4007.104(a) of the Securities Act.
4. Pursuant to Section 4007.104(c) of the Securities Act, the parties were afforded the opportunity to request a hearing to modify or set aside the Emergency Order. The statute required Respondents to request the hearing before the 31st day after the date they were served with the Emergency Order.
5. Respondents filed a timely request for a hearing to modify or set aside the Emergency Order. The request was filed with the Securities Commissioner and satisfied the requirements of Section 4007.104(c) of the Securities Act.
6. Unless otherwise agreed, Section 4007.104(d) of the Securities Act requires the hearing be held no later than the 10th day after the Securities Commissioner receives the request for the hearing. The Enforcement Division and Respondents agreed to waive the requirement that the hearing be held no later than this day.
7. Following the request for a hearing, Respondents have cooperated with the Enforcement Division and have provided relevant records and information about its business to the Enforcement Division.

8. The Enforcement Division and Respondents have agreed to the entry of this Agreed Order.

DISMISSAL OF THE EMERGENCY ORDER

9. Respondents and the Enforcement Division agree this Agreed Order settles all matters in controversy in the Emergency Order and the matters in controversy become moot upon the entry of this Agreed Order.
10. Respondents acknowledge the request for a hearing to modify or set aside the Emergency Order is rendered moot because upon entry of the Agreed Order the Emergency Order is set aside entirely.

BACKGROUND

11. The Emergency Order alleged Respondents were violating Sections 4004.052 of the Securities Act, engaging in fraud as defined in Section 4001.058 of the Securities Act and were making misleading statements as set forth in Section 4007.104(a)(3) of the Securities Act.
12. Respondents contested these findings, as well as other Findings of Fact and Conclusions of Law set forth in the Emergency Order. Respondents set forth certain defenses, including that they have not offered or sold securities, they have not acted as dealers, and they have not engaged in willful violations of the Securities Act. In line with these defenses, Respondent has submitted information sufficient to conclude that a dismissal of the Emergency Order is warranted.

UNDERTAKING

13. Respondent Whiskey & Wealth Club, representing its commitment to complying with the law and as a measure of good faith, has executed an Undertaking, which shall be deemed filed contemporaneously with the execution and entry of this Agreed Order and is hereby fully incorporated within this Agreed Order.
14. As described within the Undertaking, Respondent Whiskey & Wealth Club is committed to reviewing its marketing materials and purchase contracts.

CONCLUSIONS OF LAW

1. Respondent Whiskey & Wealth Club will implement the actions, contained in the Undertaking referenced herein, along with this Agreed Order to prevent any violations of the Securities Act.
2. The forgoing Findings of Fact and Conclusions of Law constitute sufficient bases for setting aside the Emergency Order as to all Respondents pursuant to Section 4007.104(e) of the Securities Act.

ORDER

1. It is therefore ORDERED that the Emergency Cease and Desist Order (ENF-21-CDO-1853) is dismissed and set aside.
2. It is further ORDERED that Respondent Whiskey and Wealth Club comply with the Undertaking referenced herein.

SIGNED AND ENTERED by the Securities Commissioner this 7th day of July 2022.




TRAVIS J. ILES
Securities Commissioner

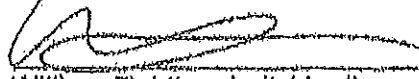
Respondents:



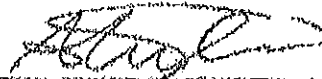
Whiskey & Wealth Club Limited
BY:



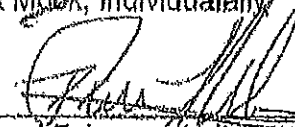
Scott Solberras, Individually



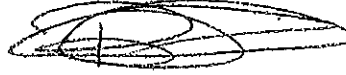
William Fielding, Individually



Alex Mack, Individually

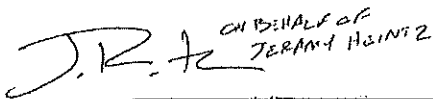


Richard Falconer, Individually

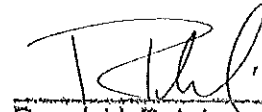


Benjamin Dunlop, Individually

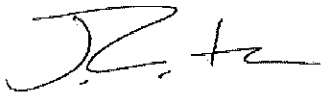
Approved as to Form:



Jeremy Heintz
Attorney for the Enforcement Division



Ronak V. Patel
Attorney for Respondents



Joe Rotunda
Director of the Enforcement Division