

DENISE VOIGT CRAWFORD
SECURITIES COMMISSIONER



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IN THE MATTER OF
ANTHONY HEUERMANN

§
§

Order No. ENF-07-CDO-1637

TO: Anthony Heuermann
28411 Woodsons Lake
Spring, TX 77386

AGREED CEASE AND DESIST ORDER AND ORDER MODIFYING ORDER NO. ENF-07-CDO-1629

Be it remembered that Anthony Heuermann ("Respondent") appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this order ("Order") and the Findings of Fact and Conclusions of Law contained herein.

FINDINGS OF FACT

1. Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2006) ("Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 et seq. (Vernon 2000 & Supp. 2006) ("Administrative Procedure Act").
2. Respondent maintains a last known address at 28411 Woodson Lake, Spring, Texas 77386.
3. Respondent offered for sale and sold in Texas the National Foundation of America Tax Deductible Installment Plan ("NFOA Installment Plan"). Respondent represented that investors could purchase the NFOA Installment Plan either with cash or by transferring title to their annuities, real estate or securities to National Foundation of America. Respondent further represented that National Foundation of America would pay investors guaranteed, fixed

returns over a fixed term and further represented that the investment would entitle investors to tax savings pursuant to Sections 501(c)(3) and 453 of the Internal Revenue Code ("IRC").

4. In connection with the offer for sale of the above-described NFOA Tax Deductible Installment Plan, Respondent represented that National Foundation of America had been recognized as a tax-exempt charitable organization under IRC § 501(c)(3), which was materially misleading or otherwise likely to deceive the public in light of the fact that National Foundation of America had not been granted such recognition.
5. In connection with the offer for sale of the above-described NFOA Tax Deductible Installment Plan, Respondent represented that it is generally defined in IRC § 453, which was materially misleading or otherwise likely to deceive the public in light of the fact that this section of the IRC deals solely with the installment method of accounting for income tax purposes.
6. In connection with the offer for sale of the above-described NFOA Tax Deductible Installment Plan, Respondent represented that the NFOA Tax Deductible Installment Plan was "guaranteed," which was materially misleading or otherwise likely to deceive the public because Respondent did not disclose the nature of the guarantee or the assets used to ensure the guarantee.
7. The NFOA Installment Plan was not registered by qualification, notification or coordination and no permit was granted for its sale in Texas.
8. Respondent was not registered with the Securities Commissioner as a dealer or agent at any time material hereto.
9. On or about May 18, 2007, the Securities Commissioner entered Emergency Cease and Desist Order No. ENF-07-CDO-1629 ("the Emergency Order") against Respondent and other parties. The Emergency Order has remained in full force and effect against Respondent from May 18, 2007, through the date of the entry of this Order.
10. On or about June 15, 2007, Respondent filed a request for a hearing to modify or set aside the Emergency Order.
11. By executing this Order, and upon the entry of this Order by the Securities Commissioner, Respondent agrees that his request for a hearing on the Emergency Order is withdrawn and not subject to appeal.

CONCLUSIONS OF LAW

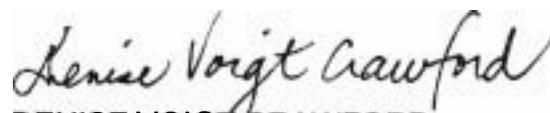
1. The above-described NFOA Installment Plan is a "security" as that term is defined by Section 4.A of the Texas Securities Act.

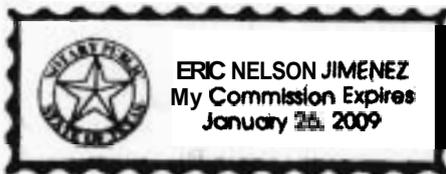
2. Respondent violated Section 7 of the Texas Securities Act by offering for sale and selling securities in Texas at a time when the securities were not registered with the Securities Commissioner.
3. Respondent violated Section 12 of the Texas Securities Act by offering for sale and selling securities in Texas without being registered pursuant to the provisions of Section 12 of the Texas Securities Act.
4. Respondent has made offers containing statements that are materially misleading or otherwise likely to deceive the public.
5. The foregoing violations constitute bases for the issuance of an Agreed Cease and Desist Order pursuant to Section 23.A of the Texas Securities Act.

ORDER

1. It is therefore ORDERED that Respondent immediately CEASE AND DESIST from offering for sale and selling any security in Texas until the security is registered with the Securities Commissioner or is offered for sale pursuant to an exemption from registration under the Texas Securities Act.
2. It is further ORDERED that Respondent immediately CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondent is registered with the Securities Commissioner or is acting pursuant to an exemption from registration under the Texas Securities Act.
3. It is further ORDERED that Respondent immediately CEASE AND DESIST from offering for sale securities in Texas through an offer containing a statement that is materially misleading or otherwise likely to deceive the public.
4. It is further ORDERED that the Emergency Order is modified by this Order solely and exclusively as the Emergency Order relates to Respondent.

SIGNED AND ENTERED by the Securities Commissioner this 14th day of August ²⁰⁰⁷ ~~July~~


DENISE VOIGT CRAWFORD
Securities Commissioner



Eric Nelson Jimenez
Notary
Eric N. Jimenez
01/26/2009
Expires

Respondent:

Anthony Heuermann

Approved as to Form:

Joseph Rotunda
Director
Enforcement Division

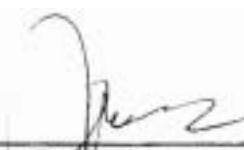
John R. Fahy
301 Commerce St., Suite 3500
Fort Worth, TX 76102
Attorney for Respondent

Stephanie Tourk
Enforcement Attorney
Enforcement Division

ACKNOWLEDGMENT

On the 31st day of July, 2007, Anthony Heuermann ("Respondent") appeared before me, executed the foregoing Order, and acknowledged that:

1. Respondent has read the foregoing Order;
2. Respondent has been fully advised of his rights under the Texas Securities Act and the Administrative Procedure Act;
3. Respondent knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained therein; and,
4. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived his rights as set forth therein.



Notary Public in and for the
State of Texas
My commission expires on: 01/26/2009

[affix notary seal here]

