

DENISE VOIGT CRAWFORD  
SECURITIES COMMISSIONER



JOHN R. MORGAN  
DEPUTY SECURITIES COMMISSIONER

Mall P.O. BOX 13167  
AUSTIN, TEXAS 78711-3167

Phone: (512)305-8300  
Facsimile: (512)305-8310

## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
www.ssb.state.tx.us

JACK D. LADD  
CHAIRMAN

BRYAN K. BROWN  
MEMBER

BETH ANN BLACKWOOD  
MEMBER

WILLIAM R. SMITH  
MEMBER

EDWARD ESCUDERO  
MEMBER

IN THE MATTER OF  
JAY ALAN BRAMLETT AKA JAY BRAMLETT

§  
§  
§

**Order No. ENF-07-CDO-1644**

TO: Jay Alan Bramlett aka Jay Bramlett  
3307 Northland Drive, Suite 170  
Austin, Texas 78731  
and  
3816 S. Lamar Blvd., Apt. 2317  
Austin, Texas 78704

### **EMERGENCY CEASE AND DESIST ORDER**

This is your OFFICIAL NOTICE of the issuance by the Securities Commissioner of the State of Texas ("Securities Commissioner") of an EMERGENCY CEASE AND DESIST ORDER pursuant to Section 23-2 of The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2007) ("Texas Securities Act").

The Staff of the Enforcement Division of the Texas State Securities Board has presented evidence sufficient for the Securities Commissioner to find that:

#### FINDINGS OF FACT

1. Jay Alan Bramlett aka Jay Bramlett ("Respondent") maintains last known addresses at 3307 Northland Drive, Suite 170, Austin, Texas 78731 and 3816 S. Lamar Blvd., Apt. 2317, Austin, Texas 78704.
2. Respondent is making available the opportunity to invest with Ruby801 LLC in Texas. Respondent represents that Ruby801 LLC will be organized in the near future and that it will construct, own and operate a nightclub in Austin, Texas.
3. Respondent represents that an investment of \$150,000.00 will entitle investors to a return of \$250,000.00 within twelve months and an ownership interest in the nightclub and up to three additional nightclubs that may be established in the future. Investor funds will purportedly be used to fund the initial operations of Ruby801 LLC, and a subsequent offering for additional investor funds will allow Ruby801 LLC to construct the nightclub and promote its business.

4. The above-described investment is not registered by qualification, notification or coordination and no permit has been granted for its sale in Texas.
5. Respondent has not been registered with the Securities Commissioner as a dealer or agent at any time material hereto.
6. In connection with the offer for sale of the above-described investment, Respondent is intentionally failing to disclose the material fact that, on or about October 6, 1997, in United States of America v. Jav Alan Bramlett, Cause No. 4:96CR00158-003, in the United States District Court for the Southern District of Texas:
  - a. Respondent was convicted of one count of conspiracy to commit mail fraud, wire fraud and money laundering; two counts of aiding and abetting mail fraud; two counts of aiding and abetting mail fraud in connection with a telemarketing offense; one count of aiding and abetting wire fraud; one count of aiding and abetting wire fraud in connection with a telemarketing offense; and twenty counts of aiding and abetting money laundering, all in violation of 18 U.S.C. §§ 371, 1341, 1343, 1956(a)(i)(A)(i) and 2326;
  - b. Respondent was sentenced to 168 months incarceration on or about October 30, 1997, said sentence later having been reduced to 121 months incarceration; and
  - c. Respondent was ordered to pay restitution to victims in the amount of \$8,369,733.11.
7. In connection with the offer for sale of the above-described investment, Respondent represents that he is experienced in real estate matters and that this experience will facilitate the construction and operation of the nightclub, which is materially misleading or otherwise likely to deceive the public in light of the fact that the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs revoked Respondent's real estate broker's license on January 18, 2002.

#### CONCLUSIONS OF LAW

1. The above-described investment is a "security" as that term is defined in Section 4.A of the Texas Securities Act.
2. Respondent has violated Section 7 of the Texas Securities Act by offering securities for sale in Texas at a time when the securities were not registered with the Securities Commissioner.
3. Respondent has violated Section 12 of the Texas Securities Act by offering securities for sale in Texas without being registered pursuant to the provisions of Section 12 of the Texas Securities Act.

4. Respondent has engaged in fraud in connection with the offer for sale of securities in Texas.
5. Respondent has made an offer containing a statement that is materially misleading or otherwise likely to deceive the public.
6. Respondent's conduct threatens immediate and irreparable public harm.
7. The foregoing violations constitute bases for the issuance of an Emergency Cease and Desist Order pursuant to Section 23-2 of the Texas Securities Act.

### ORDER

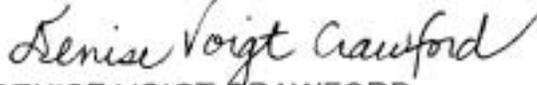
1. It is therefore ORDERED that Respondent immediately CEASE AND DESIST from offering securities in Texas until the securities are registered with the Securities Commissioner or are offered for sale pursuant to an exemption from registration under the Texas Securities Act.
2. It is further ORDERED that Respondent immediately CEASE AND DESIST from the offer for sale of securities in Texas until Respondent is registered with the Securities Commissioner as a dealer or agent or an available exemption from registration is utilized.
3. It is further ORDERED that Respondent immediately CEASE AND DESIST from engaging in any fraud in connection with the offer for sale or sale of any security in Texas.
4. It is further ORDERED that Respondent immediately CEASE AND DESIST from offering securities in Texas through an offer containing a statement that is materially misleading or otherwise likely to deceive the public.

### NOTICE

Pursuant to Section 23-2 of the Texas Securities Act, you may request a hearing before the 31st day after the date you were served with this Order. The request for a hearing must be in writing, directed to the Securities Commissioner, and state the grounds for the request to set aside or modify the Order. Failure to request a hearing will result in the Order becoming final and non-appealable.

You are advised under Section 29.D of the Texas Securities Act that any knowing violation of an order issued by the Securities Commissioner under the authority of Section 23-2 of the Texas Securities Act is a criminal offense punishable by a fine of not more than \$5,000, or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 3<sup>rd</sup> day of December, 2007.

  
DENISE VOIGT CRAWFORD  
Securities Commissioner