

JOHN MORGAN  
SECURITIES COMMISSIONER



RONAK V. PATEL  
DEPUTY SECURITIES COMMISSIONER

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## Texas State Securities Board

208 E. 10th Street, 5th Floor  
Austin, Texas 78701-2407  
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IN THE MATTER OF  
MODERN OIL VENTURES, LLC  
AND MARION DON MILLER

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§  
§  
§

**Order No. ENF-13-CDO-1724**

TO: Modern Oil Ventures, LLC  
2850 Shoreline Trail #250  
Rockwall, Texas 75032

Marion Don Miller  
2850 Shoreline Trail #250  
Rockwall, Texas 75032

### **AGREED CEASE AND DESIST ORDER AND ORDER ASSESSING ADMINISTRATIVE FINE**

Be it remembered that Modern Oil Ventures, LLC ("Respondent MOV") and Marion Don Miller ("Respondent Miller") (collectively referred to as "Respondents") appeared before the Securities Commissioner of Texas ("Securities Commissioner") and consented to the entry of this Order and the Findings of Fact and Conclusions of Law contained herein.

#### FINDINGS OF FACT

1. Respondents have waived (a) Respondents' right to notice and a hearing in this matter; (b) Respondents' right to appear and present evidence in this matter; (c) Respondents' right to appeal this Order; and (d) all other procedural rights granted to Respondents by The Securities Act, TEX. REV. CIV. STAT. ANN. arts. 581-1 to 581-43 (West 2010 & Supp. 2012) (the "Texas Securities Act"), and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 to 2001.902 (West 2008 & Supp. 2012).
2. Respondent MOV is a Texas limited liability company that maintains a last known address of 2850 Shoreline Trail #250, Rockwall, Texas 75032.

3. Respondent Miller is the owner and sole manager of Respondent MOV. He maintains a last known address of 2850 Shoreline Trail #250, Rockwall, Texas 75032.
4. Respondents have offered and sold securities in the form of working interests in oil and gas projects.
5. The working interests were not registered by qualification, notification, or coordination and no permit has been granted for their sale in Texas.
6. Respondents were not registered with the Securities Commissioner as dealers or agents at any time material hereto.

#### CONCLUSIONS OF LAW

1. The working interests are "securities" as that term is defined by Section 4.A of the Texas Securities Act.
2. Respondents have violated Section 7 of the Texas Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
3. Respondents have 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. The foregoing violations constitute bases for the issuance of an Agreed Cease and Desist Order pursuant to Section 23.A of the Securities Act and the assessment of an administrative fine pursuant to Section 23-1 of the Securities Act.

#### ORDER

1. It is therefore ORDERED that Respondents immediately CEASE AND DESIST from offering for sale 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 Respondents immediately CEASE AND DESIST from the offer and sale of securities in Texas until Respondents are registered with the Securities Commissioner as dealers or agents or an available exemption from registration is utilized.

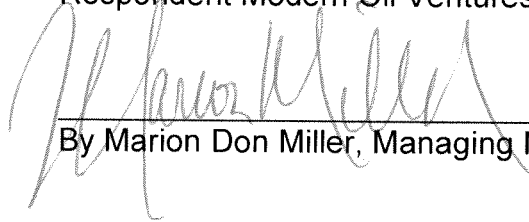
3. It is further ORDERED that Respondent MOV is hereby ASSESSED AN ADMINISTRATIVE FINE in the amount of Two Thousand Dollars (\$2,000.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner of Texas in the amount of Two Thousand Dollars (\$2,000.00), payable to the State of Texas, contemporaneously with the delivery of this Order.

SIGNED AND ENTERED by the Securities Commissioner this 30<sup>th</sup> day of April, 2013.



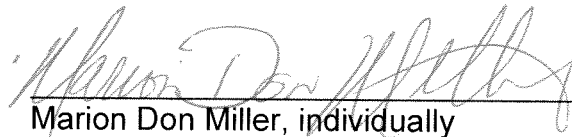
JOHN MORGAN  
Securities Commissioner

Respondent Modern Oil Ventures, LLC:



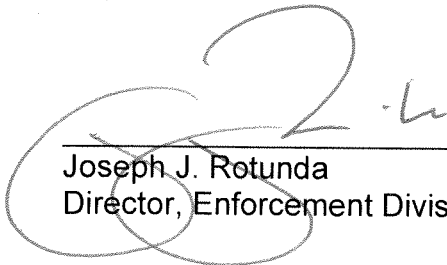
By Marion Don Miller, Managing Member

Respondent Marion Don Miller:



Marion Don Miller, individually

Approved as to Form:



Joseph J. Rotunda  
Director, Enforcement Division



Alice A. Waters  
P.O. Box 40  
Waxahachie, Texas 75168  
Attorney for Respondents

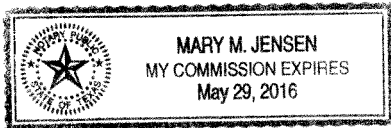


Sara Scribner  
Enforcement Attorney

**ACKNOWLEDGEMENT**

On the 30th day of April, 2013, Modern Oil Ventures, LLC ("Respondent Modern Oil Ventures"), by and through its managing member, Marion Don Miller, personally appeared before me, executed the foregoing Order and acknowledged that:

1. Marion Don Miller is authorized to enter into the foregoing Order on behalf of Respondent Modern Oil Ventures;
2. Marion Don Miller has read the foregoing Order;
3. Respondent Modern Oil Ventures has been fully advised of its rights under the Texas Securities Act and the Administrative Procedure Act;
4. Respondent Modern Oil Ventures knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained therein; and
5. Respondent Modern Oil Ventures, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived its rights as set forth therein.



[affix notary seal here]

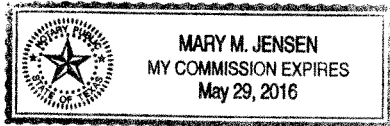
Mary M. Jensen  
Notary Public in and for  
the State of Texas

My commission expires : 5-29-16

**ACKNOWLEDGEMENT**

On the 30th day of April, 2013, Marion Don Miller ("Respondent Miller") personally appeared before me, executed the foregoing Order and acknowledged that:

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



[affix notary seal here]

Mary M. Jensen  
Notary Public in and for  
the State of Texas

My commission expires : 5-29-16