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MELISSA TYROCH
MEMBER

IN THE MATTER OF §
ARCA WILDLIFE DEVELOPMENT AND §
CONSERVATION, LLC, FKA ARCA WILDLIFE §
PARTNERS, LLC, FKA ARCA DEVELOPMENT AND §
CONSERVATION, LLC; TEXAS SAVANNA §
PARTNERS LLC AKA TEXAS SAVANNA LLC §
PARTNERSHIP, TEXAS SAVANNA PARTNERSHIP §
LLC, AKA TEXAS SAVANNA BREEDING §
PARTNERSHIP, LLC AKA TEXAS SAVANNA §
BREEDING PARTNERSHIP; BRIAN KEITH §
ALFARO; KRISTI M. ALFARO; ARIANA A. ALFARO §
AND REECE A. ALFARO §

Order No. ENF-20-CDO-1823

ARCA Wildlife Development and Conservation, LLC, formerly known as ARCA Wildlife Partners, LLC and ARCA Development and Conservation, LLC
18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.

Texas Savanna Partners LLC aka Texas Savanna LLC Partnership, Texas Savanna Partnership LLC, aka Texas Savanna Breeding Partnership, LLC aka Texas Savanna Breeding Partnership
18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.

Brian Keith Alfaro
18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.

Kristi M. Alfaro
18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.

Ariana A. Alfaro
310 Huntington Place, Shavano Park, Texas 78231 and 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.

Reece A. Alfaro
310 Huntington Place, Shavano Park, Texas 78231 and 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.

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. Stats. Ann. arts. 581-1-581-45 (the "**Securities Act**").

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

FINDINGS OF FACT

1. Brian Keith Alfaro is a recidivist and a white-collar criminal.
2. The Financial Industry Regulatory Authority, Inc. ("**FINRA**") barred Brian Keith Alfaro from the industry and the Texas State Securities Board and other regulators have taken enforcement actions to protect the public from him.
3. Prior investors have prevailed on civil claims against Brian Keith Alfaro, and a federal court awarded damages of nearly \$8 million against him.
4. Brian Keith Alfaro put an investment firm in bankruptcy, and a receiver appointed in an adversary proceeding successfully sued him and Kristi Alfaro, his wife, for fraudulently transferring property.
5. Brian Keith Alfaro was indicted, tried, and found guilty of federal mail fraud for defrauding investors in an oil and gas investment scheme. He is currently confined to his home as a condition of bond, and upon sentencing faces up to 20 years or more in federal prison.
6. Shortly after being found guilty of federal mail fraud, Brian Keith Alfaro and Kristi Alfaro began perpetrating a new securities scheme.
7. They are now contacting and pitching potential investors, including elderly investors, and encouraging them to invest in a fraudulent wildlife breeding and development program.
8. The Securities Commissioner is entering this Emergency Cease and Desist Order to stop the scheme and protect Texans from immediate and irreparable harm.

THE PARTIES

9. ARCA Wildlife Development and Conservation, LLC, formerly known as ARCA Wildlife Partners, LLC and ARCA Development and Conservation, LLC ("**Respondent ARCA Wildlife**"), is a Texas Limited Liability Company. It maintains a last known address at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.

10. Texas Savanna Partners LLC aka Texas Savanna LLC Partnership, Texas Savanna Partnership LLC, aka Texas Savanna Breeding Partnership, LLC aka Texas Savanna Breeding Partnership ("**Respondent Texas Savanna**") is being organized as a Texas Limited Liability Company. It maintains a last known address at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258.
11. Brian Keith Alfaro ("**Respondent B. Alfaro**") is an outside advisor for Respondent ARCA Wildlife. He can be served at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.
12. Kristi M. Alfaro ("**Respondent K. Alfaro**") is the wife of Respondent B. Alfaro. She is also the organizer, registered agent for and a manager of Respondent ARCA Wildlife and will be the registered agent for and a manager of Respondent Texas Savanna. Respondent K. Alfaro, in her capacities as registered agent and manager, can be served at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.
13. Ariana A. Alfaro ("**Respondent A. Alfaro**") is the daughter of Respondents B. Alfaro and K. Alfaro. She is also a manager of Respondent ARCA Wildlife and will be a manager of Respondent Texas Savanna. Respondent A. Alfaro can be served at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.
14. Reece A. Alfaro ("**Respondent R. Alfaro**") is the son of Respondents B. Alfaro and K. Alfaro. He is also a manager of Respondent ARCA Wildlife and will be a manager for Respondent Texas Savanna. Respondent R. Alfaro can be served at 18838 Stone Oak Parkway Suite 105 San Antonio, Texas 78258 and 310 Huntington Place, Shavano Park, Texas 78231.

THE FEDERAL SECURITIES
ENFORCEMENT ACTION AGAINST RESPONDENT B. ALFARO

15. On or about June 22, 2011, FINRA filed a Second Amended Complaint in Department of Enforcement v. Pinnacle Partners Financial Corporation and Brian K. Alfaro, Disciplinary Proceeding No. 2010021324501. It alleged Respondent B. Alfaro and Pinnacle Partners Financial Corporation ("**Pinnacle**"), his wholly-owned firm, were engaging in the fraudulent sale of unregistered securities and were willfully violating federal antifraud provisions.
16. The Amended Complaint also alleged that:
 - A. Respondent B. Alfaro materially misrepresented or omitted facts when dealing with investors and secretly altered operation reports, inflated estimated gross returns and monthly cash flows, and lied about returns distributed to prior investors;

- B. Respondent B. Alfaro misused customer funds to meet obligations for previous offerings, cover his personal expenses, and make personal cash payments to himself; and
 - C. Pinnacle and Respondent B. Alfaro systematically destroyed documents, maintained inaccurate books and records, and failed to properly report numerous investor complaints.
17. The hearing was moved from Dallas to San Antonio to accommodate Respondent B. Alfaro, scheduled to last three weeks and set to begin on February 27, 2012.
 18. Respondent B. Alfaro failed to attend the hearing and the matter was resolved through a default decision where the allegations in the complaint were deemed admitted by Respondent B. Alfaro and Pinnacle.
 19. On or about April 25, 2012, FINRA entered the Default Decision, finding that Respondent B. Alfaro and his companies had raised \$10 million in fraudulent sales of unregistered securities by operating a boiler room from a San Antonio office which placed up to thousands of cold calls per week to prospective investors in multiple states.
 20. The Default Decision expelled Pinnacle from FINRA membership and barred Respondent B. Alfaro from associating with any member firm in any capacity. The Default Decision also ordered Respondent B. Alfaro and Pinnacle to offer rescission to victims of fraudulent sales and/or refund the commissions and fees charged to each victim of 11 fraudulent joint ventures.

THE TEXAS SECURITIES ACTION AGAINST RESPONDENT B. ALFARO

21. On or about September 24, 2010, the Deputy Securities Commissioner entered Emergency Cease and Desist Order No. IC10-CDO-20 against Respondent B. Alfaro and Pinnacle.
22. On or about March 25, 2011, the allegations set forth in Emergency Cease and Desist Order No. IC10-CDO-20 were resolved through the entry of In the Matter of Alfaro Oil & Gas, LLC, Pinnacle Partners Financial Corporation, and Brian Keith Alfaro, Consent Cease and Desist Order IC11-CDO-05.
23. Consent Cease and Desist Order IC11-CDO-05 ordered Respondent B. Alfaro and Pinnacle to immediately cease and desist from engaging in any fraud in connection with the offer for sale of any security in Texas. It remains in force and effect.

THE ILLINOIS SECURITIES ENFORCEMENT ACTION AGAINST RESPONDENT B. ALFARO

24. On or about November 9, 2011, the Illinois Secretary of State, Securities Department, entered a Consent Order of Fine in In the Matter of Alfaro Oil & Gas, LLC, its Managers, Officers and Directors, Agents, Employees, Affiliates, Successors and Assigns and Brian K. Alfaro Individually, and Pinnacle Partners

Financial Corporation, its Managers, Officers and Directors, Agents, Employees, Affiliates, Successors and Assigns and Brian K. Alfaro, Individually, File No. 1100296.

25. The Consent Order of Fine found Respondent B. Alfaro and others violated state registration laws and assessed a fine of \$7,500.

THE CALIFORNIA SECURITIES
ENFORCEMENT ACTION AGAINST RESPONDENT B. ALFARO

26. On or about October 9, 2012, the California Business, Transportation and Housing Agency, Department of Corporations, entered a Desist and Refrain Order against Alfaro Oil & Gas, LLC, Respondent B. Alfaro, its owner and principal control person, Timothy Clarence Hundley, its Executive Vice President, and Screaming Eagle 1H Well Joint Venture.
27. The Desist and Refrain Order alleged, in part, Respondent B. Alfaro and others violated registration laws and in connection with the offers and/or sales of securities made untrue statements of material fact or omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.
28. On or about November 8, 2012, Respondent B. Alfaro and the other parties stipulated to the Desist and Refrain Order in California Corporations Commissioner v. Alfaro Oil and Gas, LLC, Brian Keith Alfaro, Timothy Clarence Hundley, and Screaming Eagle 1H Well Joint Venture, agreeing without admitting or denying the charges that the Desist and Refrain Order became final. This order remains in full force and effect. They also paid administrative penalties of \$4,000.

THE FEDERAL BANKRUPTCY AND RECEIVERSHIP
ACTIONS INVOLVING RESPONDENTS B. ALFARO AND K. ALFARO

29. Various investors and other parties have filed legal actions against Respondent B. Alfaro and entities under his control.
30. For example, on or about May 22, 2015, investors filed Plaintiffs Verified First Amended Petition, Applications for Appointment of Receiver, Appointment of Auditor, Temporary Restraining Order, Temporary and Permanent Injunctions in Patek et al. v. Alfaro et al., Cause No. 2015-CI-06991, in the 288th District Court of Bexar County, Texas.
31. On or about June 3, 2015, the Court ordered the appointment of a Receiver to maintain and secure the assets of Primera Energy, LLC ("Primera") and other corporate defendants.
32. On the same day the Court appointed the Receiver, Respondent B. Alfaro filed a voluntary petition for Chapter 11 Bankruptcy for Primera in In re Primera Energy, LLC, Case No. 15-51396-cag, in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.

33. An Adversary Proceeding commenced against Respondent B. Alfaro and others in In re Primera Energy, LLC. The Adversary Proceeding was styled Patek et al. v. Brian K. Alfaro, Primera Energy, LLC, Alfaro Oil and Gas, LLC, Alfaro Energy, LLC, King Minerals, LLC and Silver Star Resources, LLC, Case No. 15-05047-cag in the United States Bankruptcy Court for the Western District of Texas.
34. On or about December 29, 2017, in the Adversary Proceeding, the Bankruptcy Court entered a Final Judgment against Respondent B. Alfaro, awarding plaintiffs almost \$8 million in actual damages.
35. On or about November 21, 2018, in the Adversary Proceeding, the Bankruptcy Court entered an Order on Amended Motion for Turnover and Appointment of Receiver, and on November 29, 2018, the Bankruptcy Court appointed J. Scott Rose as Receiver.
36. On or about January 15, 2019, the Receiver filed a Complaint to Avoid and Recover Fraudulent Transfers and for Declaratory Judgment against Respondent K. Alfaro and Synergy E & P, LLC, her company, in J. Scott Rose, as Receiver, v. Synergy E&P, LLC and Kristi M. Alfaro, Adv. Pro. No. 19-05001, an adversary proceeding in In Re Primera Energy, LLC, Case No. 15-51396-CAG, in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.
37. The Complaint generally alleged that, after the entry of the final judgment in Patek et al. v. Brian K. Alfaro, Primera Energy, LLC, Alfaro Oil and Gas, LLC, Alfaro Energy, LLC, King Minerals, LLC and Silver Star Resources, LLC, Respondents B. Alfaro and K. Alfaro fraudulently transferred receivership property to Respondent K. Alfaro and Synergy E&P.
38. The Complaint specifically alleged Respondent B. Alfaro and Respondent K. Alfaro entered into a postnuptial agreement with actual intent to hinder, delay, or defraud a creditor or to delay the receiver to or for the benefit of Respondent K. Alfaro.
39. On or about November 25, 2019, the Court entered an agreed Final Judgment that declared the postnuptial agreement void and unenforceable as to the Receiver and ordered Respondent K. Alfaro and Synergy E&P, jointly and severally, liable for damages of \$370,000, plus post-judgment interest.

**BRIAN KEITH ALFARO HAS BEEN FOUND GUILTY OF MAIL FRAUD
AND FACES UP TO 20 YEARS CONFINEMENT OR MORE AT SENTENCING**

40. On or about November 28, 2018, a federal grand jury handed up an indictment in United States of America v. Brian Alfaro, Criminal No. 18-CR-00879-FB, in the United States District Court for the Western District of Texas. A superseding indictment was filed on or about June 19, 2019, charging Respondent B. Alfaro with eight counts of mail fraud.

41. The indictment alleged Respondent B. Alfaro devised a scheme and artifice to defraud purchasers of investments in oil and gas prospects and to obtain money and property from the victims by means of false and fraudulent pretenses, representations and promises.
42. On or about February 13, 2020, a federal jury found Respondent B. Alfaro guilty of seven counts of mail fraud.
43. Respondent B. Alfaro is currently set for sentencing on November 10, 2020. At sentencing, he faces confinement of up to 20 years or more in federal prison.

THE ORGANIZATION OF THE NEW SCHEME

44. Shortly after a federal jury found Respondent B. Alfaro guilty of mail fraud, Respondent K. Alfaro began organizing Respondent Texas Savanna and Respondent ARCA Wildlife.
45. On or about April 14, 2020, Respondent K. Alfaro organized Respondent ARCA Wildlife under the name ARCA Wildlife Partners, LLC, before first changing its name to ARCA Development and Conservation, LLC, and then finally changing its name to ARCA Wildlife Development and Conservation, LLC.
46. The certificate of formation names Respondent K. Alfaro, Respondent A. Alfaro, and Respondent R. Alfaro as the only Managers of Respondent ARCA Wildlife.
47. On or about September 23, 2020, Respondent K. Alfaro filed a certificate of formation for Texas Savanna Breeding Partnership, LLC, with the Texas Secretary of State.
48. The certificate of formation names Respondent K. Alfaro, Respondent A. Alfaro, and Respondent R. Alfaro as the only Managers of Respondent Texas Savanna.
49. Respondent K. Alfaro did not elect for the certificate of organization for Respondent Texas Savanna to become effective upon its filing with the Texas Secretary of State. Instead, Respondent K. Alfaro elected for the certificate of organization to become effective upon the “[f]unding of Texas Savanna Breeding Partnership.”
50. Although Respondent B. Alfaro is not named as a manager of either Respondent ARCA Wildlife or Respondent Texas Savanna in the public records filed with the Texas Secretary of State, he is participating in the scheme as described herein.

THE WILDLIFE BREEDING PROGRAM

51. Respondent ARCA Wildlife is issuing investments in a wildlife breeding and development program administered in Zavala County, Texas.

52. Through this wildlife investment program, Respondent ARCA Wildlife is offering twenty units, with each unit representing a five percent interest in Respondent Texas Savanna, for a collective purchase price of \$3,197,760.
53. Respondent ARCA Wildlife is telling potential investors it is charging \$159,888 per unit, payable in the following three installments:
54. The first installment of \$39,800 is due when investors execute a subscription agreement and tender it to the company;
55. The second installment of \$59,200 is due upon notification by the company that ranch improvements are due; and
56. The third installment of \$60,888 is due upon notification by the company that livestock acquisition will be completed.
57. Respondent ARCA Wildlife is representing it will use the proceeds of the offering as follows:
 - A. It will apply \$195,000 to lease acquisition, which represents the estimated land acquisition costs for the program;
 - B. It will apply \$1,845,336 to livestock acquisition, which represents the estimated livestock acquisition costs for the program;
 - C. It will apply \$375,000 to property improvements, which represents the estimated property improvements and company expenses;
 - D. It will apply \$302,760 to organization and management fees, reflecting printing costs, accounting costs, legal costs and all other costs directly related to the Program; and
 - E. It will apply \$479,664 as a "portion of the ... compensation" for the sponsorship, management, and supervision of the program.

MANAGEMENT

58. Respondent ARCA Wildlife is referring to investors as "Non-Operators," claiming they "will have no substantial authority over or involvement in Operations."
59. Instead, Respondent ARCA Wildlife is telling investors they will participate under an Operating Agreement and they will be required to appoint Respondent ARCA Wildlife as their attorney-in-fact regarding the Operating Agreement.
60. The Operating Agreement authorizes Respondent ARCA Wildlife, or a third party acting at its direction, to perform all services in connection with the supervision and management of the program.

61. The Operating Agreement also requires Respondent ARCA Wildlife to select an Operations Manager who will serve as the manager of the property and the livestock.
62. Assuming the program is producing income, the Operations Manager will purportedly charge a monthly operating fee.
63. Respondents K. Alfaro and B. Alfaro are named in the offering documents as "executive officers and significant employees and contractors" of Respondent ARCA Wildlife.

RESPONDENTS K. ALFARO AND ARCA WILDLIFE
ARE USING MISLEADING OFFERING DOCUMENTS

64. Respondent ARCA Wildlife is presenting potential investors with offering materials describing the purchase of units in Respondent Texas Savanna for investment in an exotic wildlife breeding program.
65. The offering materials were originally designed to solicit investments in oil and gas development programs, and they have been altered to promote the purchase of the units described herein.
66. The offering materials, however, still contain numerous references to investments in oil and gas development programs wholly unrelated to the current wildlife promotion. For example:
 - A. The offering materials repeatedly refer to the units as "working interests" and "net revenue interests," which are common investments in oil and gas wells;
 - B. The offering materials define the term "lease" as meaning an "oil and gas lease(s);" and
 - C. The offering materials refer to "overages," "work over expenditures," "costs of operating a well and obtaining production therefrom after completion of a well," and other cost events common in oil and gas development and exploration, and they impute consequences – such as requirements that investors tender pro-rata payments for overages – to said events.
67. The offering materials also fail to consistently identify the issuer. Instead, the offering materials often refer to the issuer by using various names of entities not organized with the Texas Secretary of State. For example:
 - A. The offering materials represent investors are purchasing an interest in Texas Savanna Partners LLC, an unincorporated entity that has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company;

- B. The offering materials represent investors are purchasing a share in Texas Savanna LLC Partnership, an unincorporated entity that has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company; and
 - C. The offering materials represent investors are purchasing an interest in Texas Savanna Partnership LLC, which has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company.
68. The offering materials make contradictory statements concerning the use of proceeds from the sale of units. For example:
- A. The offering materials represent the estimated lease acquisition costs are both \$195,000 and \$260,040;
 - B. The offering materials represent the estimated livestock acquisition costs are both \$1,845,336 and \$1,698,800;
 - C. The offering materials represent the offering costs for the program are both \$302,760 and \$319,776;
 - D. The offering materials represent the estimated improvement costs for the program are both \$375,000 and \$439,480; and
 - E. The offering materials represent, as funds are raised, up to forty percent of such funds raised may be released to Respondent ARCA Wildlife's general operating account for payment of any of Respondent ARCA Wildlife's expenses, whether related or unrelated to the offering. However, the offering materials also represent up to fifty percent of such funds raised may be released to Respondent ARCA Wildlife's general operating account for payment of any of Respondent ARCA Wildlife's expenses, whether related or unrelated to the offering.

**RESPONDENT ARCA WILDLIFE
IS CONCEALING ITS CAPITALIZATION AND FINANCIAL STATEMENTS**

69. Respondent ARCA Wildlife's offering materials represent a portion of investor funds may be used on anything Respondent ARCA Wildlife deems appropriate, including expenses unrelated to this offering, whether past or present.
70. The offering materials do not disclose Respondent ARCA Wildlife's capitalization nor any financial information regarding its assets and liabilities.

RESPONDENT ARCA WILDLIFE IS CONCEALING THE IDENTITY OF THE
OTHER PRINCIPALS OF ARCA WILDLIFE AND RESPONDENT TEXAS SAVANNA

71. Respondent ARCA Wildlife is presenting investors with offering materials that identify Respondent K. Alfaro as one of the owners of Respondent ARCA Wildlife and name her as president of the company.
72. The offering materials do not disclose Respondents K. Alfaro, A. Alfaro, and R. Alfaro also serve as the managers of Respondent ARCA Wildlife.
73. The offering materials also do not disclose Respondents K. Alfaro, A. Alfaro and R. Alfaro are the managers of Respondent Texas Savanna.

RESPONDENT ARCA WILDLIFE IS CONCEALING THE QUALIFICATIONS
AND EXPERIENCE OF THE MANAGERS OF RESPONDENT ARCA WILDLIFE

74. Respondent ARCA Wildlife is presenting investors with offering materials that do not disclose the experience and qualifications of Respondent K. Alfaro as they relate to land and lease acquisition, and they are not disclosing any experience or qualifications that relate to breeding, developing, promoting, and selling livestock.
75. The offering materials also do not disclose the experience and qualifications of Respondents A. Alfaro and R. Alfaro as they relate to land and lease acquisition, and they are not disclosing any experience or qualifications that relate to breeding, developing, promoting, and selling livestock.

RESPONDENT ARCA WILDLIFE HAS SOLD
SECURITIES FROM TEXAS TO AT LEAST SIX ELDERLY INVESTORS

76. Respondents ARCA Wildlife, Texas Savanna, B. Alfaro, and K. Alfaro have already sold whole or fractional units as follows:
 - A. Respondents B. Alfaro and K. Alfaro are contacting and/or directly communicating with potential investors; and
 - B. Together they have sold at least one and one-quarter units to six investors, all over the age of seventy.

THE PRIOR BAD ACTS

77. Although the offering documents provide some information relating to prior regulatory actions, lawsuits, and criminal proceedings, they do not disclose material information relating to the cases. For example:
 - A. The offering documents do not disclose Patek et al. v. Alfaro et al., Cause No. 2015-CI-06991, in the 288th District Court of Bexar County, Texas resulted in the award of nearly \$8 million to defrauded investors;

- B. The offering documents do not disclose the appointment of a receiver who successfully sued Respondent K. Alfaro and Synergy E & P, LLC, her company, for fraudulently transferring property for defrauded investors in J. Scott Rose, as Receiver, v. Synergy E&P, LLC and Kristi M. Alfaro, Adv. Pro. No. 19-05001, in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division;
- C. The offering documents do not disclose on or about February 13, 2020, a federal jury found Respondent B. Alfaro guilty of seven counts of mail fraud in connection with defrauding prior investors in United States of America v. Brian Alfaro, Criminal No. 18-CR-00879-FB, in the United States District Court for the Western District of Texas; and
- D. The offering documents do not disclose Respondent B. Alfaro is currently set for sentencing on November 10, 2020, and he faces confinement of up to 20 years or more in federal prison.

SECURITIES REGISTRATION STATUS

- 78. Respondents have not been registered as dealers or agents in Texas at any time material hereto.
- 79. The units have not been registered by notification, coordination or qualification and no permit has been issued for their sale in Texas.

THE IMMINENT DISQUALIFICATION FROM RELYING ON AN EXEMPTION FROM REGISTRATION REQUIREMENTS

- 80. As described herein, Respondent ARCA Wildlife is raising more than \$3.1 million through the sale of units issued in a wildlife breeding and development investment program.
- 81. Respondent ARCA Wildlife claims to be limiting sales of units to accredited investors and relying on Regulation D, Rule 506, to provide an exemption permitting the sale of unregistered units.
- 82. Regulation D, Rule 506, is a federal law that serves as a basis for preempting state securities regulators from administering the important protections afforded by state registration laws.
- 83. Issuers are, however, disqualified from relying on Regulation D, Rule 506, when a covered person is subject to a disqualifying event.
- 84. Respondent B. Alfaro is a covered person because he is an executive officer and/or a significant employee or contractor of Respondent ARCA Wildlife.

85. Respondent B. Alfaro will be subject to a disqualifying event when he is sentenced, for mail fraud in United States of America v. Brian Alfaro, Case No. SA:18-CR-00879(1)-FB, in the United States District Court for the Western District of Texas, San Antonio Division.
86. Based upon but not limited to the forgoing, Respondent ARCA Wildlife is about to become disqualified from relying on Regulation D, Rule 506, to coordinate with federal exemptions that preempt the Texas State Securities Board from administering state registration laws.

FRAUD AND THE CONCEALMENT OF MATERIAL CORPORATE INFORMATION

87. In connection with the offer of units, Respondents are intentionally failing to disclose the identities of the managers of Respondent ARCA Wildlife, and this information constitutes material facts.
88. In connection with the offer of units, Respondents are intentionally failing to disclose the qualifications and experience of the managers of Respondent ARCA Wildlife, and this information constitutes material facts.
89. In connection with the offer of units, Respondents are intentionally failing to disclose the identities of the managers of Respondent Texas Savanna, and this information constitutes material facts.
90. In connection with the offer of units, Respondents are intentionally failing to disclose the qualifications and experience of the managers of Respondent Texas Savanna, and this information constitutes material facts.
91. In connection with the offer of units, Respondents are intentionally failing to disclose the capitalization of Respondent ARCA Wildlife or any information reflecting its assets and liabilities, and this information constitutes material facts.

MISLEADING STATEMENTS AND THE USE OF PROCEEDS

92. Respondents are providing investors with offering materials that describe the use of proceeds of the offering of units. These descriptions are materially misleading or otherwise likely to deceive the public because they contain the following contradictory statements:
 - A. The offering materials represent the estimated lease acquisition costs are both \$195,000 and \$260,040;
 - B. The offering materials represent the estimated livestock acquisition costs are both \$1,845,336 and \$1,698,800;
 - C. The offering materials represent the offering costs for the program are both \$302,760 and \$319,776;

- D. The offering materials represent the estimated improvement costs for the program are both \$375,000 and \$439,480; and
- E. The offering materials represent, as funds are raised, up to forty percent of such funds raised may be released to Respondent ARCA Wildlife's general operating account for payment of any of Respondent ARCA Wildlife's expenses, whether related or unrelated to the offering. However, the offering materials also represent up to fifty percent of such funds raised may be released to Respondent ARCA Wildlife's general operating account for payment of any of Respondent ARCA Wildlife's expenses, whether related or unrelated to the offering.

MISLEADING STATEMENTS AND THE IDENTITY OF THE ISSUER

- 93. Respondents are providing investors with offering materials that identify the issuer. These descriptions are materially misleading or otherwise likely to deceive the public because they refer to the issuer by the following aliases:
 - A. Respondents are representing investors are purchasing an interest in Texas Savanna Partners LLC, an unincorporated entity that has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company;
 - B. Respondents are representing investors are purchasing a share in Texas Savanna LLC Partnership, an unincorporated entity that has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company;
 - C. Respondents are representing investors are purchasing an interest in Texas Savanna Partnership LLC, which has not filed with the Texas Secretary of State, is not organized as a limited liability company in Texas, and is not authorized to conduct business in Texas as either a foreign or domestic limited liability company.

MISLEADING STATEMENTS AND THE REFERENCES TO THE INVESTMENTS AS INTERESTS IN OIL AND GAS WELL EXPLORATION

- 94. Respondents are providing investors with offering materials originally designed to solicit investments in oil and gas development programs, and they still contain numerous references to investments in oil and gas development programs wholly unrelated to the current wildlife promotion. These references are materially misleading or otherwise likely to deceive the public because they materially impact the terms of the investments.

FRAUD AND THE FAILURE TO DISCLOSE
MATERIAL INFORMATION RELATING TO PRIOR BAD ACTS

95. In connection with the offer of units, Respondents are intentionally failing to disclose the following material facts relating to prior bad acts:
- A. That Patek et al. v. Alfaro et al., Cause No. 2015-CI-06991, in the 288th District Court of Bexar County, Texas resulted in the award of nearly \$8 million to defrauded investors;
 - B. The appointment of a receiver who successfully sued Respondent K. Alfaro and Synergy E & P, LLC, her company, for fraudulently transferring property for defrauded investors in J. Scott Rose, as Receiver, v. Synergy E&P, LLC and Kristi M. Alfaro, Adv. Pro. No. 19-05001, in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division;
 - C. That a federal jury found Respondent B. Alfaro guilty of seven counts of mail fraud in connection with defrauding prior investors United States of America v. Brian Alfaro, Criminal No. 18-CR-00879-FB, in the United States District Court for the Western District of Texas; and
 - D. That Respondent B. Alfaro is currently set for sentencing on November 10, 2020, and he faces confinement of up to 20 years or more in federal prison.

DECEPTION AND THE RELIANCE ON REGULATION D, RULE 506

96. Respondents are representing they are relying on Regulation D, Rule 506, to exempt the offer of units from securities registration laws.
97. These statements are materially misleading or otherwise likely to deceive the public because Respondents are not disclosing they will be disqualified from relying on Regulation D, Rule 506, to complete the offering upon the conviction of Respondent B. Alfaro.

DECEPTION AND THE ORGANIZATION OF RESPONDENT TEXAS SAVANNA

98. Respondents are providing investors offering documents in connection with the offer of units in Respondent Texas Savanna, and the offering documents describe Respondent Texas Savanna. The offering documents do not disclose the following information:
- A. Respondent K. Alfaro did not elect for the certificate of organization for Respondent Texas Savanna to become effective upon its filing with the Texas Secretary of State;
 - B. Respondent K. Alfaro instead elected for the certificate of organization to become effective upon the "[f]unding of Texas Savanna Breeding Partnership;"

- C. Upon the conviction of Respondent B. Alfaro, Respondent Texas Savanna will be disqualified from relying on Regulation D, Rule 506, to complete the funding of Respondent Texas Savanna; and
- D. Absent the completion of funding, Respondent Texas Savanna will not actually become organized with the Texas Secretary of Texas.

**FRAUD AND VIOLATION
OF AN ORDER ENTERED BY THE SECURITIES COMMISSIONER**

- 99. As described herein, Respondent B. Alfaro consented to the entry of Consent Cease and Desist Order IC11-CDO-05, an order entered by the Securities Commissioner.
- 100. As also described herein, through the entry of Cease and Desist Order IC11-CDO-05, the Securities Commissioner ordered Respondent B. Alfaro to immediately cease and desist from engaging in any fraud in connection with the offer of any securities in Texas.
- 101. As also described herein, Cease and Desist Order IC11-CDO-05 remains in force and effect.
- 102. Respondent B. Alfaro, through the acts and practices set forth herein, is now violating Cease and Desist Order IC11-CDO-05 by engaging in fraud in connection with the offer of securities in Texas.
- 103. Although Respondents provide some information relating to Cease and Desist Order IC11-CDO-05, their description is materially misleading or otherwise likely to deceive the public because they are not disclosing the following information about the violation of the order:
 - A. Section 29.D of the Securities Act provides that any person who knowingly violates a cease and desist order issued by the Securities Commissioner is deemed guilty of a felony of the third degree; and
 - B. A felony of the third degree may be punished by confinement of up to two to ten years in state prison.

CONCLUSIONS OF LAW

- 1. The units are securities as the term is defined by Section 4.A of the Securities Act.
- 2. Respondents are about to be disqualified from relying on Regulation D, Rule 506, and they are about to violate Section 7 of the Securities Act by offering securities for sale in Texas at a time when the securities are not registered with the Securities Commissioner.
- 3. Respondents are about to be disqualified from relying on Regulation D, Rule 506, and they are about to violate Section 12 of the Securities Act by offering securities

for sale in Texas without being registered pursuant to the provisions of Section 12 of the Securities Act.

4. Respondents are engaging in fraud in connection with the offer for sale of securities.
5. Respondents are making offers containing statements that are materially misleading or otherwise likely to deceive the public.
6. Respondents' conduct, acts, and practices threaten 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 Securities Act.

ORDER

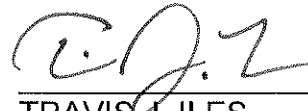
1. It is therefore ORDERED Respondents immediately CEASE AND DESIST from offering for sale any security in Texas until the security is registered with the Securities Commissioner or is offered pursuant to an exemption from registration under the Securities Act.
2. It is further ORDERED Respondents immediately CEASE AND DESIST from acting as a securities dealer or agent in Texas until Respondents are registered with the Securities Commissioner or are acting pursuant to an exemption from registration under the Securities Act.
3. It is further ORDERED Respondents immediately CEASE AND DESIST from engaging in any fraud in connection with the offer for sale of any security in Texas.
4. It is further ORDERED Respondents 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 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 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 \$10,000, or imprisonment in the penitentiary for two to ten years, or by both such fine and imprisonment.

SIGNED AND ENTERED by the Securities Commissioner this 9th day of November, 2020.

Handwritten signature of Travis J. Iles in black ink, consisting of stylized initials and a surname.

TRAVIS J. ILES
Securities Commissioner