

State of Missouri
Office of Secretary of State

Case No. AP-06-08

IN THE MATTER OF:

ENERGY SAVINGS, LLC;
TEXAS ENERGY INVESTMENT SOLUTIONS, INC.;
THE ENERGY INVESTMENT GROUP;
THE ENERGY SAVINGS GROUP, LLC;
SCOTT FLEISCHMANN; *and*
PRESTON FLEISCHMANN,

Respondents.

Serve:

Texas Energy Investment Solutions, Inc.;
The Energy Investment Group;
The Energy Savings Group, LLC; and
Scott Fleischmann at
22 Danson Drive
St. Peters, Missouri 63376

Energy Savings, LLC and
Preston Fleischmann at
397 Goetz Avenue
St. Louis, Missouri 63125

**FINAL ORDER TO CEASE AND DESIST AND
ORDER IMPOSING CIVIL PENALTIES AWARDED COSTS**

On the 23rd day of January, 2007, the Enforcement Section of the Securities Division, by and through Mary S. Hosmer, Assistant Commissioner, submitted a Petition for Final Order to Cease and Desist and Order Imposing Civil Penalties and Costs (the "Petition"). After reviewing the Petition, the Commissioner issues the following findings of fact, conclusions of law, and order:

1. On October 17, 2006, the Missouri Commissioner of Securities issued an Order to Cease and Desist and Order to Show Cause Why Civil Penalties and Costs Should not be Imposed (the "Order").
2. On October 17, 2006, notice and a copy of the Order were mailed certified mail to all Respondents.
3. All certified mail was returned "unclaimed."
4. On December 12, 2006, Respondents were served with this Order pursuant to Section 409.6-611(b), RSMo. (Cum. Supp. 2005), by leaving a copy of this process in the office of the Commissioner and a copy of this notice and a copy of this process was sent to Respondents at their last known address.
5. The Respondents did not request a hearing, and the Commissioner has received no correspondence or communication from the Respondents.
6. In the Petition, the Enforcement Section of the Securities Division requested a Final Order to Cease and Desist as to all Respondents in this matter.
7. In the Petition, the Enforcement Section of the Securities Division requested that Respondents pay, jointly and severally, the costs of investigation in this matter in the amount of four thousand eight hundred thirty-one dollars (\$4,831).
8. In the Petition, the Enforcement Section of the Securities Division requested the Commissioner issue an Order requiring that Respondents each pay a civil penalty in the amount of ten thousand dollars (\$10,000) for a violation of Section 409.3-301, RSMo. (Cum. Supp. 2005).
9. In the Petition, the Enforcement Section of the Securities Division requested the Commissioner issue an Order requiring that Respondents each pay a civil penalty in the amount of ten thousand dollars (\$10,000) for violation of Section 409.5-501, RSMo. (Cum. Supp. 2005).
10. This order is in the public interest and consistent with the purposes intended by the Missouri Securities Act of 2003.

ORDER

NOW, THEREFORE, it is hereby ordered that :

- A. The Cease and Desist Order entered in Case Number AP-06-08 on October 17, 2006, is **FINAL** as to all Respondents.
- B. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2005), each of Respondent Texas Energy Investment Solutions, Inc., and Scott Fleischman shall pay, within thirty (30) days from the date of service of this Order, a separate sum of three thousand dollars (\$3,000) to the State of Missouri as a civil penalty for multiple violations of Section 409.3-301, RSMo. (Cum. Supp. 2005). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondents shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- C. Pursuant to Section 409.6-604(d), RSMo. (Cum. Supp. 2005), Respondents shall each pay, within thirty (30) days from the date of service of this Order, a separate sum of ten thousand dollars (\$10,000) to the State of Missouri as a civil penalty for multiple violations of Section 409.5-501, RSMo. (Cum. Supp. 2005). This amount shall be sent to the Secretary of State and made payable to the State of Missouri, and the Secretary of State shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Article IX, Section 7 of the Constitution of Missouri. Respondents shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102.
- D. Pursuant to Section 409.6-604(e), RSMo. (Cum. Supp. 2005), Respondents shall pay, within thirty (30) days from the date of service of this Order, the additional sum of four thousand eight hundred thirty-one dollars (\$4,831) as reimbursement for the costs of the investigation and administration of this matter. This amount shall be sent to the Secretary of State and made payable to the Missouri Secretary of State's Investor Education and Protection Fund. Respondents shall deliver this payment to the Securities Division, 600 W. Main Street, PO Box 1276, Jefferson City, Missouri 65102. The Respondents in this matter shall be jointly and severally liable for this amount.
- E. Pursuant to Section 409.6-604(f), RSMo. (Cum. Supp. 2005), this matter shall be referred to the Missouri Attorney General's Office to collect the fines and costs described in this Final Order, as necessary.

SO ORDERED:

WITNESS MY HAND AND OFFICIAL SEAL OF MY OFFICE AT JEFFERSON CITY, MISSOURI THIS 8th DAY OF FEBRUARY, 2007

ROBIN CARNAHAN
SECRETARY OF STATE

(Signed/Sealed)
MATTHEW KITZI
COMMISSIONER OF SECURITIES

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of February, 2007, a copy of the foregoing Final Order issued in the above styled case was mailed by certified U.S. Mail, postage prepaid to Respondents at the below listed addresses.

Texas Energy Investment Solutions, Inc.
22 Danson Drive
St. Peters, MO 63376

The Energy Investment Group
22 Danson Drive
St. Peters, MO 63376

The Energy Savings Group, LLC
22 Danson Drive
St. Peters, MO 63376

Scott Fleischmann
22 Danson Drive
St. Peters, MO 63376

Energy Savings, LLC and
397 Goetz Avenue
St. Louis, MO 63125

Preston Fleischmann
397 Goetz Avenue

St. Louis, MO 63125

John Hale
Specialist