

Division of Securities  
Utah Department of Commerce  
160 East 300 South, 2<sup>nd</sup> Floor  
Box 146760  
Salt Lake City, UT 84114-6760  
Telephone: (801) 530-6600  
FAX: (801)530-6980

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**BEFORE THE DIVISION OF SECURITIES  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

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**IN THE MATTER OF:**

**IMPERIA INVEST IBC,**

**Respondent.**

**NOTICE OF ENTRY OF DEFAULT AND  
ORDER**

**Docket No. 10-10-0028**

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**I. BACKGROUND**

A formal adjudicative proceeding was initiated by the Division's Order to Show Cause (OSC) and Notice of Agency Action (Notice) dated May 20, 2010, against Imperia Invest IBC, advising it to file an answer or appear at a hearing set for July 6th, 2010 or default would be entered against it. A hearing was convened on that day, but it failed to appear and no response was received or filed by the Respondent.

**II. FINDINGS OF FACT**

**THE RESPONDENT**

1. Imperia Invest IBC (Imperia) operated a website at [www.imperiainvest.net](http://www.imperiainvest.net) from at least

July 7, 2008, through May 19, 2010. Imperia has never been licensed by the Division as a broker/dealer agent nor an issuer/agent to sell securities.

#### **GENERAL ALLEGATIONS**

2. From at least July 7, 2008, through May 19, 2010, Respondent offered securities.
3. In September 2009, Respondent sold an unregistered security to a Utah resident.
4. The investor lost \$240 in principal.

#### **INVESTMENT OFFER**

5. From at least July 7, 2008, through May 19, 2010, Imperia offered investments through the internet and a network of representatives similar to a multi-level marketing program.
6. Imperia's website represents that Imperia operated in Germany, Britain, the Bahamas, and Vanuatu at various times.<sup>1</sup>
7. Individuals identifying themselves as Dr. Werner Jahnsen and Dr. Steve Baker control and operate Imperia, though they do not identify their positions in the company, nor do they provide any contact information that would allow potential investors to obtain information from them.
8. Through its website and representatives, Imperia makes the following statements about investing in Imperia:

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<sup>1</sup>According to a release from the Securities Commission of the Bahamas. "...not only is there no company named Imperia operating from that address, but also, there is no company named Imperia appearing on the Register of the Companies Registry." The release is dated April 20, 2009.

- a. Individuals can invest \$50 and in return the investor will receive a loan of \$80,000, which will be traded in a Forex account;
  - b. Interest in the account will compound daily and is guaranteed to make 1.2% interest daily;
  - c. Investors will receive a cash disbursement of profits six months after investing;
  - d. Profits are to be split amongst Imperia (30%), the brokerage/trading house (30%), and the investor (40%);
  - e. Investors who invest \$50 in Imperia will make a total of \$134,000 after six months.
9. Along with the investment funds, Imperia requests that investors fill out an application and submit a document entitled *Trustee & Profit Sharing Agreement*.

INVESTOR AJ

10. In or around September 2009, a representative of Imperia contacted AJ in Payson, Utah.
11. The representative explained the investment to AJ, who is deaf<sup>2</sup>, and accompanied her to a branch of Wells Fargo Bank on 3 N. Main St. in Nephi, Utah where AJ had a checking account.
12. AJ wrote a check of \$240 payable to herself and cashed it at the Wells Fargo bank in

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<sup>2</sup>The Division has been contacted by several complainants who are deaf. Several of these complainants allege this program is directed toward the deaf community. Internet searches confirm that a number of individuals from the deaf community are involved in Imperia.

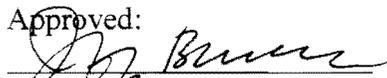
Nephi AJ then gave the representative the \$240 in cash.

### III. CONCLUSIONS OF LAW

13. The service of the OSC and the Notice initiating these proceedings is valid upon the Respondent.
14. Despite notice, Respondent Imperia Invest IBC failed to file a response or otherwise appear.
15. Because it failed to file a written response to the OSC of May 20, 2010 within 30 days and because it failed to appear at the initial hearing on July 6, 2010, it is in default.
16. The investment opportunities offered and sold by Imperia are securities under § 61-1-13 of the Act.
17. The securities were offered and sold in this state.
18. The securities were not registered under the Act, and Respondent did not file any claim of exemption relating to the securities.
19. Based on the above information, Imperia violated § 61-1-7 of the Act.

  
J. STEVEN EKLUND  
Administrative Law Judge

Approved:

  
JEFF BUCKNER  
Assistant Attorney General

J.G.

**IV. ORDER**

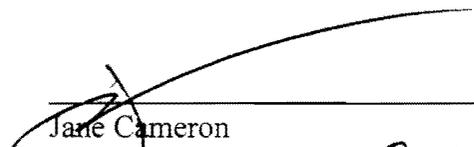
Based on the above, the Securities Commission hereby:

1. Declares Imperia Invest IBC in default for failing to file a written response to the May 20, 2010, OSC and for failing to appear at the July 6, 2010, hearing.
2. Enters, as its own findings, the Findings of Fact described in Section II above.
3. Enters, as its own conclusions, the Conclusions of Law described in Section III above.
4. Finds that Respondent violated the Utah Uniform Securities Act by failing to register or file a claim of exemption relating to the offer and sale of a security in or from Utah in violation of § 61-1-7.
5. Orders Respondent to permanently CEASE and DESIST from any violations of the Act.
6. Orders Imperia Invest IBC to pay a fine of five thousand dollars (\$5,000) to the Division within 30 days of the entry of this Order.

DATED this 28<sup>th</sup> day of October 2010.



  
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Tim Bangerter

  
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Jane Cameron

  
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Erik Christiansen

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Laura Polacheck



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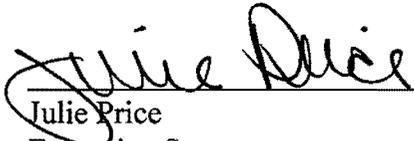
Michael O'Brien

Pursuant to § 63-46b-11(3), Respondent may seek to set aside the Default Order entered in this proceeding by filing such a request with the Division consistent with the procedures outlined in the Utah Rules of Civil Procedure.

**CERTIFICATE OF MAILING**

I, Julie Price, hereby certify that on the 9th day of November 2010, I mailed, by regular mail, a true and correct copy of the forgoing **Notice of Entry of Default and Order** to:

Imperia Invest IBC  
International Trade Building  
P.O. Box 1460  
Port Highway  
Vanuatu

  
\_\_\_\_\_  
Julie Price  
Executive Secretary

Division of Securities  
Utah Department of Commerce  
160 East 300 South, 2<sup>nd</sup> Floor  
Box 146760  
Salt Lake City, UT 84114-6760  
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**BEFORE THE DIVISION OF SECURITIES  
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**IN THE MATTER OF:**

**IMPERIA INVEST IBC,**

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**AFFIDAVIT OF SERVICE AND NON  
RESPONSE**

Docket No. 00-10-0028

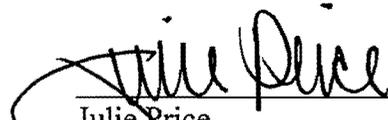
I, Julie Price, first being duly sworn, depose and state as follows:

1. I am the Executive Secretary for the Department of Commerce Division of Securities (Division).
2. As executive secretary for the Division, I am responsible for supervising the mailing of the Division's Orders to Show Cause and for receiving any responses filed by respondents.
3. On May 24, 2010, the Division served, by certified mail, an Order to Show Cause (OSC) dated May 20, 2010, to Imperia Invest IBC along with a Notice of Agency Action (Notice), advising that a default order would be entered if it failed to appear at a hearing

set for Tuesday July 6, 2010, or file a written response to the OSC within thirty (30) days of the mailing date of the Notice. The Notice designated the adjudicative proceeding as formal.

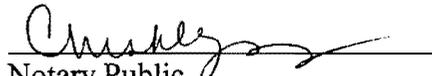
4. The mailing to Imperia Invest IBC's Port Highway, Vanuatu address was not returned.
5. A hearing was convened on July 6, 2010. Respondent did not appear nor did he file a Response.
6. As of the date of this Affidavit, the respondent has not filed the required response.

DATED this 7<sup>th</sup> day of October 2010.

  
Julie Price  
Executive Secretary

SALT LAKE COUNTY     )  
  ) ss  
STATE OF UTAH         )

Signed and subscribed to before me this 7<sup>th</sup> day of October 2010.

  
Notary Public

