

FILED DISTRICT COURT
Third Judicial District

NOV 18 2008

SALT LAKE COUNTY

By _____ Deputy Clerk

CHARLENE BARLOW, Bar No. 0212
Assistant Attorney General
MARK L. SHURTLEFF, Bar No. 4666
Utah Attorney General
5272 South College Drive, #200
Murray, UT 84123
Telephone: (801) 281-1221
Facsimile: (801) 281-1224

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH, :
 :
 Plaintiff, : **CRIMINAL INFORMATION**

vs. :
 :
 SHAWN H. MOORE, : Case No. 081908861
 DOB: [REDACTED] :
 : Judge _____
 Defendant. :

The undersigned, JENNIFER KORB, upon oath, states on information and belief that the defendant has committed the following crimes:

SECURITIES FRAUD
a second degree felony, 6 counts

SALE BY AN UNLICENSED AGENT
a third degree felony, 5 counts

PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count

ABUSE OF A VULNERABLE ADULT
a third degree felony, 1 count

COUNT 1
SECURITIES FRAUD
a second degree felony

Commencing on or about March 2004, in the State of Utah, County of Davis and elsewhere, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Allan Christmas**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 2
SECURITIES FRAUD
a second degree felony

Commencing on or about July 2003, in the State of Utah, County of Salt Lake and elsewhere, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Gerry D'Elia**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements

made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 3
SECURITIES FRAUD
a second degree felony

Commencing on or about January 2006, in the State of Utah, County of Davis and elsewhere, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **John and LaRae Huber**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 4
SECURITIES FRAUD
a second degree felony

Commencing on or about December 2003, in the State of Utah, County of Davis and elsewhere, the defendant, in connection with

the offer or sale of a security, directly or indirectly, to **Michael LeDuc**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 5
SECURITIES FRAUD
a second degree felony

Commencing on or about May 2004, in the State of Utah, County of Washington and elsewhere, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Elizabeth and Brant Seamons**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 6
SECURITIES FRAUD
a second degree felony

Commencing on or about November 2003, in the State of Utah, County of Davis and elsewhere, the defendant, in connection with the offer or sale of a security, directly or indirectly, to **Kay and Linda Shumway**, made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21. This violation is a second degree felony under Utah Law.

COUNT 7
SALE BY AN UNLICENSED AGENT
a third degree felony

From on or about March 2004, the defendant, in connection with the offer or sale of a security, willfully engaged in the offer or sale of a security to **Allan Christmas** without being licensed to sell securities in this state. It is unlawful for any person to transact business in this state as an agent unless the person is licensed. This is a violation of Utah Code Ann. §§61-1-3(3) and 61-1-21, a third degree felony under Utah Law.

COUNT 8
SALE BY AN UNLICENSED AGENT
a third degree felony

From on or about January 2006, the defendant, in connection with the offer or sale of a security, willfully engaged in the offer or sale of a security to **John and LaRae Huber** without being licensed to sell securities in this state. It is unlawful for any person to transact business in this state as an agent unless the person is licensed. This is a violation of Utah Code Ann. §§61-1-3(3) and 61-1-21, a third degree felony under Utah Law.

COUNT 9
SALE BY AN UNLICENSED AGENT
a third degree felony

From on or about December 2003, the defendant, in connection with the offer or sale of a security, willfully engaged in the offer or sale of a security to **Michael LeDuc** without being licensed to sell securities in this state. It is unlawful for any person to transact business in this state as an agent unless the person is licensed. This is a violation of Utah Code Ann. §§61-1-3(3) and 61-1-21, a third degree felony under Utah Law.

COUNT 10
SALE BY AN UNLICENSED AGENT
a third degree felony

From on or about May 2004, the defendant, in connection with

the offer or sale of a security, willfully engaged in the offer or sale of a security to **Brant and Elizabeth Seamons** without being licensed to sell securities in this state. It is unlawful for any person to transact business in this state as an agent unless the person is licensed. This is a violation of Utah Code Ann. §§61-1-3(3) and 61-1-21, a third degree felony under Utah Law.

COUNT 11
SALE BY AN UNLICENSED AGENT
a third degree felony

From on or about November 2003, the defendant, in connection with the offer or sale of a security, willfully engaged in the offer or sale of a security to **Kay and Linda Shumway** without being licensed to sell securities in this state. It is unlawful for any person to transact business in this state as an agent unless the person is licensed. This is a violation of Utah Code Ann. §§61-1-3(3) and 61-1-21, a third degree felony under Utah Law.

COUNT 12
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony

Commencing on or about May 2002, the defendant has engaged in conduct which constituted the commission of at least three

episodes of unlawful activity as defined in Utah Code Ann. § 76-10-1601 (1995). The defendant: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity as more fully defined in Counts 1 through 11 above, in which he participated as a principal, or he used or invested, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a pattern of unlawful activity acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) was employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity. The unlawful activity included three or more violations of securities fraud. This is a violation of Utah Code Ann. §76-10-1601 and § 76-10-1603(5) (1995), et seq. a second degree felony.

COUNT 13
ABUSE OF A VULNERABLE ADULT
a third degree felony

From on or about January 2006, the defendant, in a position

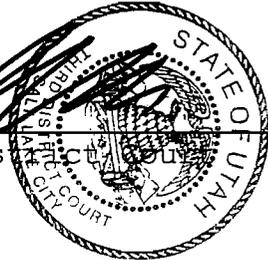
of trust and confidence, or in a business relationship, with a vulnerable adult (**John and LaRae Huber**), and knowingly, by deception or intimidation, obtained or used, or endeavored to obtain or use, the vulnerable adult's funds, credit, assets, or other property with the intent to temporarily or permanently deprive the vulnerable adult of the use, benefit, or possession of the adult's property, for the benefit of someone other than the vulnerable adult, in violation of Utah Code Ann. § 76-5-111. This violation is a third degree felony.

DATED this 18th day of November, 2008.

Jennifer Korb
JENNIFER KORB, Affiant

SUBSCRIBED AND SWORN to before me
On this 18 day of Nov,
2008.

[Signature]
Judge, Third District Court

The seal of the Third District Court, State of Utah, is circular. It features a central emblem with a scale of justice and a book. The text "STATE OF UTAH" is written around the top inner edge, and "THIRD DISTRICT COURT" is written around the bottom inner edge.

This CRIMINAL INFORMATION is based upon evidence from the following witnesses:

1. Allan Christmas
2. Gerry D'Elia
3. John and LaRae Huber
4. Michael LeDuc
5. Elizabeth and Brant Seamons
6. Kay and Linda Shumway
7. and others.

AUTHORIZED FOR PRESENTMENT AND FILING this 18th day of November, 2008.

MARK L. SHURTLEFF
Utah Attorney General

By: Charlene Barlow
CHARLENE BARLOW
Assistant Attorney General