

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

BEFORE THE  
SECURITIES COMMISSIONER

In the Matter of ECAP Financial )  
Investment Banking , Inner Systems )  
Industries, Inc., Marie Fortune, William )  
Mueger, and their Officers, Directors, )  
Agents and Employees. )  
Respondents )

**CEASE AND DESIST ORDER,  
NOTICE OF CIVIL PENALTIES  
AND NOTICE OF RIGHT TO  
REQUEST A HEARING**

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**THE SECURITIES COMMISSIONER OF THE STATE OF NORTH  
DAKOTA TO ECAP FINANCIAL INVESTMENT BANKING, INNER SYSTEMS  
INDUSTRIES, INC., MARIE FORTUNE, WILLIAM MUEGER, AND THEIR  
OFFICERS, DIRECTORS, AGENTS, AND EMPLOYEES:**

**WHEREAS,** On August 28, 1997, the North Dakota Securities  
Commissioner (the "Commissioner") received information that respondents  
offered and/or sold investments in Inner Systems Industries, Inc. ("Inner  
Systems") stock; and

**WHEREAS,** The offers and/or sales were made while Inner Systems  
stock were not registered as a security or exempted from registration in violation  
of NDCC §10-04-04; and,

**WHEREAS,** The offers and/or sales were made while neither Inner  
Systems nor ECAP Financial Investment Banking ("ECAP") were registered as a  
securities dealer in violation of NDCC §10-04-10(1); and,

**WHEREAS,** The offers and/or sales were made while neither Marie  
Fortune of ECAP nor William Mueger of Inner Systems were registered as  
salesmen in violation of NDCC §10-04-10(2); and,

**WHEREAS,** On August 28, 1997, the Commissioner requested information from Ms. Marie Fortune of ECAP via a letter which was received by ECAP on September 8, 1997 and no reply was provided in violation of NDCC §10-04-16.1; and,

**WHEREAS,** On September 17, 1997, the Commissioner requested information from Mr. William Mueger of Inner Systems via a letter which was received by Inner Systems on September 22, and no reply was provided in violation of NDCC §10-04-16.1.

**NOW, THEREFORE,** The North Dakota Securities Commissioner hereby orders, pursuant to NDCC §10-04-16, that the Respondents immediately shall **CEASE AND DESIST:**

1. From offering for sale or selling in North Dakota the subject investment, or any other investment interest however denominated, unless and until such investment interests have been registered with the Securities Commissioner; provided, however, that nothing in this part of the order shall apply to securities which are exempt under NDCC §10-04-05 or to transactions which are exempt under NDCC §10-04-06.
2. From offering for sale or selling investments in North Dakota unless and until they have registered with the Securities Commissioner as dealers or salesmen; provided, however, that nothing in this part of the order shall apply to exempt securities transactions under NDCC §10-04-06.

3. From providing a guarantee on rates of return on investments or otherwise engaging in a fraudulent act while offering for sale or selling investments in North Dakota.

4. From failing to comply with the reasonable requests for information from the Office of the Securities Commissioner in regard to your activities in offering for sale or selling investments in North Dakota.

#### NOTICE OF CIVIL PENALTIES

**YOU ARE NOTIFIED** that the above-cited violations are sufficient grounds for the imposition of civil penalties pursuant to NDCC §10-04-16(1). The Securities Commissioner hereby orders payment of a civil penalty in the amount of \$10,000.

#### NOTICE OF RIGHT TO REQUEST HEARING

**YOU ARE NOTIFIED** that pursuant to NDCC §10-04-12 you may request a hearing before the Securities Commissioner if such a request is made in writing WITHIN FOURTEEN (14) DAYS AFTER THE RECEIPT OF THIS ORDER. The respondent has the right to be represented by legal counsel at the hearing.

**IN TESTIMONY WHEREOF**, witness my hand and seal this 10 day of October, 1997.



*Cal Hoovestol*  
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Cal Hoovestol - Securities Commissioner  
600 East Boulevard Ave.  
State Capitol – Fifth Floor  
Bismarck, ND 58505-0510  
(701) 328-2910

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Agents, and Employees. )  
)  
)  
Respondents. )

AFFIDAVIT OF SERVICE  
BY MAIL

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I, Diane Lillis, being first duly sworn, state that I am a citizen of the United States over the age of twenty-one years and not a party to or interested in the above-entitled proceeding.

On, Friday, October 10, 1997, I deposited in the Central Mailing Bureau of the United States Post Office Department in the State Capitol in Bismarck, North Dakota, a true and correct copy of the following document:

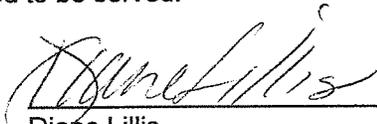
**CEASE AND DESIST ORDER  
NOTICE OF CIVIL PENALTY AND  
NOTICE OF RIGHT TO REQUEST A HEARING**

A copy of the above document was securely enclosed in an envelope with postage duly prepaid, sent via certified mail, return receipt requested, and addressed to:

Marie Fortune  
ECAP Financial Investment Banking  
2214 Hewlett Ave. Suite 4  
Merrick, NY 11566

William Mueger, President  
Inner Systems Industries, Inc.  
69 Mall Drive  
Commack, NY 11725

To the best of my knowledge, information, and belief, the address given above is the actual post office address of the party intended to be served.

  
\_\_\_\_\_  
Diane Lillis

Subscribed and sworn to before me this ~~10th~~ day of October, 1997.

  
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Jocelyn Smith, Notary Public  
Burleigh County, North Dakota  
My commission expires 4/26/2002

**JOCELYN SMITH-WHITTEY, Notary Public**  
**Burleigh County, State of North Dakota**  
**My Commission Expires April, 26, 2002**  
STATE OF NORTH DAKOTA  
NOTARY PUBLIC SEAL