

**ADMINISTRATIVE PROCEEDING
BEFORE THE
SECURITIES COMMISSIONER OF SOUTH CAROLINA**

IN THE MATTER OF:)
)
Jeffery Alan Rosen (a/k/a/ Jeff Rosen),)
Robert L. Cashman (a/k/a/ Bob)
Cashman), Leland Energy, Inc.,)
PowerOne Corporation, Community)
Merchant Solutions, Hallmark Venture)
Group, and Service Team, Inc.,)
)
Respondents.)
_____)

**CONSENT ORDER
AS TO RESPONDENT COMMUNITY
MERCHANT SOLUTIONS**

File No. 20166600

WHEREAS, the Securities Division of the Office of the Attorney General of the State of South Carolina (the "Division"), pursuant to authority granted in the South Carolina Uniform Securities Act of 2005 (the "Act"), S.C. Code Ann. § 35-1-101 *et. seq.*, initiated an investigation into certain activities by the parties named above; and

WHEREAS, in connection with its investigation, the Division determined that certain acts of the Respondents named above constituted violations of the Act, and, on or about May 7, 2018, the Division issued an Order to Cease and Desist against the Respondents, *inter alia*, for these alleged violations; and

WHEREAS, Respondent Community Merchant Solutions ("CMS"), without admitting or denying the factual allegations of the Order to Cease and Desist, except that the Securities Commissioner (the "Commissioner") has jurisdiction over it and the subject matter of this proceeding, which is admitted, acknowledges its desire to resolve the Order to Cease and Desist by Consent Order rather than by exercising its right to a formal hearing before the Commissioner, and hereby elects to waive, permanently, any right to a review, hearing, and appeal under S.C. Code Ann. §35-1-609 with respect to this Consent Order; and

WHEREAS, CMS represents that it has shut down its business operations; and

WHEREAS, CMS agrees to the investor protections and remedies set forth below; and

WHEREAS, the Commissioner finds the investor protections and remedies in this Consent Order both appropriate and in the public interest for the protection of the investors and the capital markets of the State of South Carolina;

NOW, THEREFORE, it is **HEREBY ORDERED**, and CMS expressly consents and agrees that:

- A. Effective immediately, CMS, and every successor to and affiliate of CMS, and every entity owned, operated, or indirectly or directly controlled by or on behalf of CMS is permanently barred from participating in any aspect of the securities industry in or from the State of South Carolina.
- B. CMS will pay a civil penalty in the amount of two thousand five hundred dollars (\$2,500) to the Division.

Upon execution by the Commissioner, this Order resolves Administrative Proceeding 20166600 as to CMS and every successor to and affiliate of CMS, and every entity owned, operated, or indirectly or directly controlled by or on behalf of CMS. The Division has the right to initiate a new investigation should additional information or facts come to light that would warrant further activity by the Division.

CMS agrees that this Consent Order does not and should not be interpreted to waive any (i) criminal cause of action, (ii) private cause of action that may have accrued to any investor(s), (iii) action of any kind in any type of bankruptcy proceeding(s), or (iv) other causes of action, which may result from any activity of CMS not detailed in the Order to Cease and Desist or which may hereafter arise.

IT IS SO ORDERED this 3 day of September, 2020.

By: Alan Wilson
The Honorable Alan Wilson
Securities Commissioner
State of South Carolina

Respondent Community Merchant Solutions consents to the terms of the above Consent Order.

By: Wain Swapp
NAME WAIN SWAPP
TITLE CEO
Date: 9-1-20

Reviewed and Approved

By: Russell M. Frandsen
Russell M. Frandsen
The Business Legal Group
Date: September 1, 2020

The Securities Division consents to the terms of the above Consent Order.

By: J.B. Williams
Jonathan B. Williams
Assistant Deputy Attorney General
Securities Division of the Office of the Attorney General
Date: 9/2/20