

STATE OF NEBRASKA
Department of Banking & Finance

In the Matter of)	
)	FINDINGS OF FACT
Jeff Uhrmacher,)	CONCLUSIONS OF LAW
d/b/a Doctors Wealth Secrets)	AND
1025 Hickory Street)	CONSENT ORDER
Hickman, Nebraska)	

THIS MATTER comes before the Nebraska Department of Banking and Finance (“Department”), by and through its Acting Director, pursuant to its authority under the Securities Act of Nebraska, Neb. Rev. Stat. §§ 8-1101 to 8-1123 (Reissue 2012; Supp. 2013) (“Act”). Pursuant to Neb. Rev. Stat. § 8-1115 (Reissue 2012), the Department has investigated the acts of Jeff Uhrmacher, formerly d/b/a Doctors Wealth Secrets, 1025 Hickory Street, Hickman, Nebraska. As a result of such investigation, and being fully advised and informed in the matter, the Acting Director and Jeff Uhrmacher enter into the following Findings of Fact, Conclusions of Law and Consent Order (“Order”).

FINDINGS OF FACT

1. Jeff Uhrmacher (“Uhrmacher”) was licensed in Nebraska as a Doctor of Chiropractic between November 6, 2003 and August 2, 2010.
2. Under the name “Doctors Wealth Secrets,” Uhrmacher offered what he called the “Doctor’s Only Push-Button Cash Machine Blueprint” System (“System”). Under the System, a participant subscribed to the service provided by Uhrmacher which Uhrmacher represented was “the FAST & EASY way to earning more money in the next 2 weeks than your practices made in

the last 2 months.” Uhrmacher further stated that “my team and my ‘Doctor’s Only Push-Button Cash Machine’ do virtually ALL the work for you.”

3. A System participant paid a monthly service fee and weekly fee for mailing services, which were to include mailing post cards on a weekly basis to a targeted audience, including, but not limited to, doctors, dentists, chiropractors and optometrists. The postcards offered a membership in a travel service, selected by the participant. The postcards also contained a code that was unique to each System participant; recipients would enter the code while ordering the travel service. System participants received a portion of the purchase price of each travel service sold using their code.

4. Uhrmacher offered several participants guarantees of their returns. The guarantee required participants to enroll in a travel service at a specified level and commit to ordering weekly mailings of at least one thousand pieces for one year. In some guarantees, Uhrmacher promised that, if the participant did not reach a specified level of income during that period, the participant would receive the difference between the guaranteed income and the actual income, plus a penalty of five hundred dollars. Other guarantees promised the return of their marketing fees plus their monthly membership fees in the System.

a. After several months of paying the monthly service fees and fees for weekly mailings, participants with the guarantee were contacted by Uhrmacher or a representative of Uhrmacher and informed that their credit card had been declined for the fees and a new credit card needed to be provided in order to maintain participation in the program and void the guarantee. At least one participant contacted the credit card

company and learned that no charges had been declined and that no charges had been submitted as claimed by Uhrmacher and/or his associate.

b. After several months of paying the monthly service fees and fees for weekly mailings, participants with the guarantee were contacted by Uhrmacher or a representative of Uhrmacher and informed that there would be a significant increase in the cost of the weekly mailings; in some cases the new weekly cost was more than double the previous cost. Participants were informed that the failure to agree to pay the increased charges would terminate the service and void the guarantee.

c. No participant known to the Department earned the income represented in the guarantee or received a payment made under the guarantee.

5. Uhrmacher offered the System through post card mailings and Internet websites. The post card mailings were initiated from the state of Nebraska.

6. Uhrmacher sold the System to doctors and other participants throughout the United States, including at least three participants in Nebraska. All offers to sell the System originated in, and all offers to purchase the System were accepted in, the state of Nebraska.

7. Uhrmacher did not register the System participations with the Department as securities pursuant to the Act, nor did Uhrmacher file a notice with the Department to claim an exemption from the registration requirements of the Act or to claim status as a federal covered security.

8. At all times relevant to this Order, Uhrmacher was not registered with the Department as a broker-dealer or agent of a broker-dealer authorized to sell securities in or from

Nebraska nor was Uhrmacher exempt from the broker-dealer or agent registration provisions of the Act.

9. At all times relevant to this Order, Uhrmacher conducted business from 2900 Katelyn Lane, Lincoln, Nebraska.

10. After the Department commenced its investigation, Uhrmacher refunded to the three Nebraska participants the fees they paid to participate in the System. Uhrmacher represents that he has made or is in the process making guarantee refund payments to non-Nebraska participants.

CONCLUSIONS OF LAW

1. The Department has jurisdiction over this matter pursuant to the Act.

2. Neb. Rev. Stat. § 8-1101(15) (Supp. 2013) defines “security” as

any note, stock, treasury stock, bond, debenture, units of beneficial interest in a real estate trust, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, viatical settlement contract or any fractional or pooled interest in such contract, membership interest in any limited liability company organized under Nebraska law or any other jurisdiction unless otherwise excluded from this definition, voting-trust certificate, certificate of deposit for a security, certificate of interest or participation in an oil, gas, or mining title or lease or in payments out of production under such a title or lease, in general any interest or instrument commonly known as a security, or any certificate of interest or participation in, temporary or interim certificate for, guarantee of, or warrant or right to subscribe to or purchase any of the foregoing.

3. An investment contract is defined as an investment of money in a common enterprise with the expectation of profit derived from the efforts of others. SEC v. W. J. Howey Co., 328 U.S. 293 (1946).

4. As described in Findings of Fact Nos. 2 through 4, participations in the System constitute investment contracts and are securities under the Act.

5. Neb. Rev. Stat. § 8-1104 (Supp. 2013) provides that a security may not be offered or sold in the state unless the security is registered or exempt from registration or qualifies as a federal covered security.

6. The facts set forth in Findings of Fact Nos. 2 through 7 constitute the sale of securities which were not registered or exempt from registration and which did not qualify as federal covered securities, in violation of Neb. Rev. Stat. § 8-1104.

7. Neb. Rev. Stat. § 8-1101(2) (Supp. 2013) defines broker-dealer as “any person engaged in the business of effecting transactions in securities for the account of others or for his or her own account.” Neb. Rev. Stat. § 8-1101(1) (Supp. 2013) defines agent as “any individual other than a broker-dealer who represents a broker-dealer or issuer in effecting or attempting to effect sales of securities.”

8. As described in Findings of Fact Nos. 1 through 7, Uhrmacher acted as a broker-dealer or agent in effecting the sales of securities, specifically the participations in the System, to Nebraska residents and from Nebraska.

9. Neb. Rev. Stat. § 8-1103(1) (Reissue 2012) provides that it shall be unlawful for any person to transact business in this state as a broker-dealer or agent unless registered or exempt from registration under the Act.

10. The facts set forth in Findings of Fact Nos. 1 through 7 constitute Uhrmacher acting as a broker-dealer or agent without registration, in violation of Neb. Rev. Stat. § 8-1103(1).

11. Under the Act's statutory framework, the Director has legal and equitable authority to fashion significant protective remedies.

12. It is in the best interest of Uhrmacher, and it is in the public's best interest, for Uhrmacher and the Acting Director to mutually resolve the issues included herein.

CONSENT ORDER

NOW THEREFORE, the parties to this Order agree as follows:

Stipulations: In connection with this Order, Uhrmacher and the Acting Director stipulate to the following:

- a. The Department has jurisdiction as to all matters herein.
- b. An Order should be entered in this matter, which shall be in lieu of other proceedings by the Department, except as specifically referenced in this Order.

Uhrmacher further represents as follows:

1. Uhrmacher is aware of his right to a hearing on this Order at which he may be represented by counsel, present evidence, and cross-examine witnesses. The right to such a hearing and any related appeal on all matters covered by this Order, is irrevocably waived.
2. Uhrmacher is acting free from any duress or coercion of any kind or nature.
3. Uhrmacher neither admits nor denies the Findings of Fact or Conclusions of Law set forth herein. This Consent Order is not an admission of liability by Uhrmacher. By entering into this Consent Order, Uhrmacher does not admit the Findings of Fact or Conclusions of Law, above, or to any violation of law, liability, fault, misconduct or wrongdoing in connection with those allegations. The parties have determined that this matter can be resolved without further

litigation. This Consent Order is executed to avoid further proceedings in this matter and does not constitute an admission for any other purposes.

4. Further, Uhrmacher agrees to take whatever action is necessary to ensure compliance with all provisions of the Act in the future. If, at any time, the Department determines that Uhrmacher has committed any violations of the Act, the Department may take any action available to it under the Act.

IT IS THEREFORE ORDERED as follows:

1. Jeff Uhrmacher, formerly d/b/a Doctors Wealth Secrets, shall pay a fine in the amount of two thousand five hundred dollars (\$2,500.00).

2. Jeff Uhrmacher, formerly d/b/a Doctors Wealth Secrets, shall not be required to reimburse the Department for its costs due to his cooperation and assistance in the investigation conducted in this matter.

3. The total amount of the fine, two thousand five hundred dollars (\$2,500.00) shall be payable to the Department as follows:

(a) A payment of one thousand two hundred fifty dollars (\$1,250.00) shall be paid no later than fifteen days after the effective date of this Order.

(b) A payment of one thousand two hundred fifty dollars (\$1,250.00) shall be paid no later than January 2, 2015.

4. Jeff Uhrmacher believes all websites offering the System and any derivatives of the System have been closed down and removed. Uhrmacher agrees not to create and/or maintain any future websites offering the System or any similar program, unless the program is being offered in compliance with the Act.

In the event that Uhrmacher fails to comply with the provisions of this Order, the Department may commence such action as it deems necessary and appropriate in the public interest.

The effective date of this Order will be the date of the Acting Director's signature.

DATED this 2nd day of Dec, 2014.

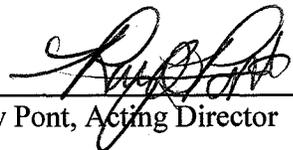
**JEFF UHRMACHER, D/B/A
DOCTORS WEALTH SECRETS**



Jeff Uhrmacher
1025 Hickory Street
Hickman, Nebraska 68372
(402) 631-7731

DATED this 5th day of January, 2014.

**STATE OF NEBRASKA
DEPARTMENT OF BANKING AND FINANCE**

By: 

Ray Pont, Acting Director

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