

STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
SECURITIES DIVISION

IN THE MATTER OF DETERMINING  
Whether there has been a violation  
of the Securities Act of the State  
of Washington by:

TRI-JECT INTERNATIONAL CORPORATION;  
PETER LEMIN; their employees and agents

Respondents.

SDO – 051 - 01

SUMMARY ORDER TO CEASE AND DESIST

Case No. 00-11-472

THE STATE OF WASHINGTON TO:      Tri-Ject International Corporation  
   Mr. Peter Lemin  
   16421 90<sup>th</sup> Ave. Ct. E  
   Puyallup, WA 98375

STATEMENT OF CHARGES

Please take notice that the Securities Administrator of the State of Washington has reason to believe that Respondents, Tri-Ject International Corporation (Tri-Ject) and Peter Lemin (Lemin) have each violated the Securities Act of Washington and that their violations justify the entry of an order of the Securities Administrator under RCW 21.20.390 against each of them to cease and desist from such violations. The Securities Administrator finds that delay in ordering the Respondents to cease and desist from such violations would be hazardous to the investors and to the public and that a Summary Order to Cease and Desist should be entered immediately. The Securities Administrator finds as follows:

TENTATIVE FINDINGS OF FACT

I.      Respondents

1.      Tri-Ject International Corporation, a Washington corporation, had a principal business address of 310 Meridian N, Suite 6, Puyallup, Washington.

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1           2.       Peter Lemin is a principal and the registered agent of Tri-Ject International Corporation.

2   II.       Offering

3           3.       In early 1999, Lemin, shortly after joining a church in the Puyallup, Washington area, began showing  
4 members of the church the ENSI Safety Syringe. The ENSI Safety Syringe is a disposable syringe with a retractable  
5 needle that reduces the risk of accidental needle sticks. Lemin told members of the church that he was trying to start a  
6 company to produce and sell the syringe. Many members of the church thought that the product was a great idea and  
7 wanted to get involved in the business. Subsequently, Lemin began selling shares in the company.

8           4.       In early 2000, as a result of word-of-mouth promotion and two articles in “The Puyallup Herald”  
9 newspaper, individuals contacted Tri-Ject to inquire on how to invest in Tri-Ject. In the second newspaper article, from  
10 March 2, 2000, readers were led to believe that Tri-Ject had United States Food and Drug Administration (FDA)  
11 approval to produce and sell the syringe in the United States. In actuality, the approval from the FDA dated February  
12 24, 2000 limited Tri-Ject to the marketing of the syringe. By the middle of 2000 Tri-Ject had over 250 investors that  
13 had contributed over \$500,000 in return for Tri-Ject stock.

14           5.       The syringe is designed and produced in Australia by Uni-Ject Australia Pty Ltd. (Uni-Ject). Napoleon  
15 Curie (Curie) is the Managing Director of Uni-Ject. Lemin told investors that he and Curie each owned a large portion  
16 of the issued shares in Tri-Ject. Additionally, Tri-Ject had a share certificate issued in 1999 showing Curie with the  
17 same amount of shares as Lemin. Curie did not know that he was purportedly a shareholder in Tri-Ject until the middle  
18 of 2000. Shortly after a former member of the Board of Directors of Tri-Ject notified Curie of his ownership, Lemin  
19 voided Curie’s shares and told investors that Curie did not have any stock in the company.

20           6.       The extent of the offering material provided to investors was limited to a product brochure, a product  
21 video, and a document entitled “Investor Information” (received by individuals who made inquiries in March of 2000  
22 and later). The “Investor Information” document stated in part: “Currently, we have issued 30 million shares through  
23 the U.S. Securities and Exchange Commission (SEC). The shares have been issued in accordance of SEC rule 501.”  
24 Tri-Ject has been registered with neither the SEC nor the Washington State Securities Division. The “Investor  
25 Information” document also states “once your certificate has been issued you may cash it in at any time. You must

1 write a letter to the company stating your intent to do so, then we will set up a time when you can come into the office  
2 and we will present you with a company check for the value of the shares". At no time has Tri-Ject been in a financial  
3 situation where they could have returned the investment of all of the shareholders.

4 III. Registration Status

5 7. Tri-Ject International Corporation is not currently registered to sell its securities in the state of  
6 Washington and has not previously been so registered.

7 8. Peter Lemin is not currently registered as a securities salesperson or broker-dealer in the state of  
8 Washington and has not previously been so registered.

9 **CONCLUSIONS OF LAW**

10 I. Securities

11 9. The offer and/or sale of the investment opportunities described above constitutes the offer and/or sale  
12 of a security as defined in RCW 21.20.005 (10) and (12).

13 II. Anti-Fraud Provision

14 10. The offer and/or sale of said securities was made in violation of RCW 21.20.010 because, as set forth  
15 in section II of the Tentative Findings of Fact, Respondents omitted to state material facts necessary in order to make the  
16 statements made, in the light of the circumstances under which they were made, not misleading.

17 III. Registration of Securities

18 11. The offer and/or sale of said securities is in violation of RCW 21.20.140, the registration section of the  
19 Securities Act, because no registration for such offer and/or sale is on file with the Securities Administrator of the state  
20 of Washington.

21 IV. Registration of Broker-Dealer and Salespersons

22 12. Respondent Peter Lemin has violated RCW 21.20.040 by offering and/or selling said securities while  
23 not being registered as a broker-dealer or securities salesperson in the state of Washington.

24  
25 SUMMARY ORDER TO CEASE AND  
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1 **EMERGENCY**

2 The Securities Administration finds that an emergency exists and that the continued violations of RCW  
3 21.20.010, RCW 21.20.140, and RCW 21.20.040, constitute a threat to the investing public. Accordingly, a Summary  
4 Order to Cease and Desist from those violations is in the public interest and necessary for the protection of the investing  
5 public.

6 **SUMMARY ORDER**

7 Based upon the foregoing, IT IS THEREFORE HEREBY SUMMARILY ORDERED that Respondents, Tri-  
8 Ject International Corporation, Peter Lemin, their agents, and employees shall each cease and desist from violating  
9 RCW 21.20.010, the anti-fraud section of the Securities Act.

10 It is further SUMMARILY ORDERED that Respondent, Tri-Ject International Corporation, their agents, and  
11 employees shall each cease and desist from violating RCW 21.20.140, the securities registration section of the  
12 Securities Act.

13 It is further SUMMARILY ORDERED that Respondent, Peter Lemin, their agents, and employees shall each  
14 cease and desist from violating RCW 21.20.040, the securities broker-dealer, securities salesperson registration section  
15 of the Securities Act.

16 **AUTHORITY AND PROCEDURE**

17 This Order is entered pursuant to the provisions of RCW 21.20.390, and is subject to the provisions of Chapter  
18 34.05 RCW. The Respondents, Tri-Ject International Corporation, and Peter Lemin, may each make a written request  
19 for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING  
20 accompanying this Order. A request for a hearing should be in writing and sent to Deborah R. Bortner, Securities  
21 Administrator, Department of Financial Institutions, P.O. Box 9033, Olympia, Washington 98507-9033 to the attention  
22 of Tyler Letey.

23 If a respondent does not request a hearing, the Securities Administrator intends to adopt the above Tentative  
24 Findings of Fact and Conclusions of Law as final and make the Summary Order to Cease and Desist permanent as to the  
25 Respondent.

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27 DESIST**

1 **CONTINUING INVESTIGATION**

2 The Securities Division is continuing to investigate the practices of the Respondent Lemin to determine the full  
3 extent of the violations of the Securities Act that have occurred in this matter.

4 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

5 DATED this 16th day of July, 2001

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9 DEBORAH R. BORTNER  
10 Securities Administrator

11 Approved by:

Presented by:

12  
13 Michael E. Stevenson  
14 Chief of Enforcement

15 Tyler Letey  
16 Staff Attorney

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