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**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 Washington by:

ORBIT ENTERPRISES, INC. d/b/a THE
CYBERGOLF NETWORK; DAN MURNAN;
MICHAEL BURDETT; their agents and employees,

Respondents.

SDO - 93 - 01

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL ORDER
TO CEASE AND DESIST AS TO MICHAEL
BURDETT

Case No. 01-04-162

THE STATE OF WASHINGTON TO: Michael Burdett
CRD #1304377

On October 17, 2001, the Securities Administrator of the State of Washington issued Statement of Charges and Notice of Intention to Enter Order to Cease and Desist SDO-88-01 hereinafter referred to as "Statement of Charges."

The Statement of Charges, together with a Notice of Opportunity to Defend and Opportunity for Hearing (hereinafter referred to as "Notice of Opportunity for Hearing") and an Application for Adjudicative Hearing (hereinafter referred to as "Application for Hearing") thereon, were served via certified mail on Respondent Michael Burdett on October 24, 2001. The Notice of Opportunity for Hearing advised Respondent that he had twenty days from the date he received the notice to file a written application for an administrative hearing on the Statement of Charges.

Respondent Michael Burdett failed to request an administrative hearing within twenty days of its receipt of the Statement of Charges and Notice of Opportunity for Hearing, either on the Application for Hearing provided or otherwise.

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL ORDER
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BURDETT

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

1 The Securities Administrator therefore adopts as final the findings of fact and conclusions of law as set forth in
2 the Statement of Charges.

3 The Securities Administrator makes the following findings of fact and conclusions of law:

4 **FINDINGS OF FACT**

5 **I. Respondents**

6 1. **ORBIT ENTERPRISES, INC.** (“Orbit Enterprises”) is a Washington corporation with a principal
7 business address of 120 West Dayton Suite D-5, Edmonds, WA 98275. Orbit Enterprises conducts business as
8 The Cybergolf Network. The company’s business purpose is to attract participants in the golf industry into e-
9 commerce and e-business through Internet websites that The Cybergolf Network controls, such as cybergolf.com
10 and golfconstructionnews.com.

11 2. **DAN MURNAN** (“Murnan”) was the President of Orbit Enterprises at all times relevant to the
12 matters set forth herein.

13 3. **MICHAEL BURDETT** (“Burdett”), CRD #1304377, acted as an agent for Orbit Enterprises
14 during the company’s investment offering. Orbit Enterprises and Dan Murnan agreed to pay Burdett a commission
15 based on the number of persons that Burdett was able to induce to invest in the company.

16 **II. Nature of the Offering**

17 4. From approximately December of 1999 to May of 2001, Orbit Enterprises, Dan Murnan, and Michael
18 Burdett (collectively referred to herein as “Respondents”) induced at least thirty-three persons to invest in Orbit
19 Enterprises. Respondents approached and/or offered an investment opportunity in Orbit Enterprises to at least eighteen
20 other persons during this time period.

21 5. From approximately February of 2001 to May 2001, Michael Burdett, acting as an agent for Orbit
22 Enterprises, directly participated in the investment offering as to at least seventeen of the thirty-three investors. Burdett
23 received over \$16,000 in commissions from Orbit Enterprises for his participation in the investment offering.

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CONCLUSIONS OF LAW

I. Securities

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

II. Violation of RCW 21.20.010

The offer and/or sale of said securities was made in violation of RCW 21.20.010 because, as specifically set forth in paragraphs 7 and 8 of the Tentative Findings of Fact, Respondents made untrue statements of material fact and/or omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

III. Violation of RCW 21.20.140

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

IV. Violation of RCW 21.20.040

Respondents have violated RCW 21.20.040 by offering said securities while not being registered as broker-dealers or securities salespersons in the state of Washington.

FINAL ORDER

Based upon the foregoing, NOW, THEREFORE, IT IS HEREBY ORDERED that Michael Burdett shall cease and desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act.

It is further ORDERED that Michael Burdett shall cease and desist from violating RCW 21.20.140 by offering and/or selling unregistered securities.

It is further ORDERED that Michael Burdett shall cease and desist from violating RCW 21.20.040 by acting as a securities broker-dealer or securities salesperson without being so registered.

This Order is entered pursuant to the provisions of RCW 21.20.390, and is subject to the provisions of

Chapter 34.05 RCW.

WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

DATED this 20th day of November, 2001.



DEBORAH R. BORTNER
Securities Administrator

Approved by:

Presented by:

Michael E. Stevenson
Chief of Enforcement

Chad Standifer
Staff Attorney

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