BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of

PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,

Respondents.

ORDER TO CEASE AND DESIST (SUMMARY)

File No. S-230624 (EX)

The Administrator of the State of Wisconsin, Department of Financial Institutions, Division of Securities ("the Division"), having authority to administer and provide for enforcement of the Wisconsin Uniform Securities Law, Wis. Stats. Chapter 551, ("WUSL"), and having determined that this action is necessary and appropriate in the public interest and for the protection of investors, hereby enters this Order directing Respondents to immediately Cease and Desist from violating the WUSL.

Based upon the evidence obtained by the Division's Bureau of Enforcement, there are grounds sufficient for the Administrator to make the following findings of fact and conclusions of law:

RESPONDENTS

1. Premier Funding & Investment, LLC ("Premier") was organized as a Wisconsin limited liability company on April 14, 2003, but became delinquent in April 2009 and was administratively dissolved on November 9, 2011. David James Lambert was its registered agent and manager. Its last known business address was 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

2. David J. Lambert, ("Lambert") is an adult born in July 1975, who at all times material hereto has been the promoter and manager of Premier, with a last known address at 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

FINDINGS OF FACT

3. In 2006 through 2007, Lambert offered an opportunity to investment in promissory notes of Premier to be repaid in one year with 20% interest to at least three people in Wisconsin.

4. In connection with the offers and sales of the promissory notes of Premier to the Wisconsin investors, Lambert omitted to disclose material facts to investors, including but not limited to the following:

    a. In May, 2001, Direct Merchants Credit Card Bank docketed a judgment against Lambert for $8940.64 in Chippewa County Case No. 2001-CV-000074, which he satisfied on March 20, 2002.

b. In June, 2003, The Northwestern Bank filed a foreclosure action on a mortgage taken by Lambert and his company Diversified Trade Services LLC ("DTS"), in which a default judgment was taken on September 12, 2005, and a sheriff's sale was confirmed on December 19, 2005 in Rusk County Case No. 03-CV-000068.

c. In April, 2004, Lyman Lumber received a judgment against Lambert and DTS for $34,057.68 in Rusk County Case No. 2003-CV-000107, which was docketed in May, 2004 and satisfied on July 12, 2006. In that same action, the judgment docketed by Pella Windows & Doors against Lambert's company, DTS, for $16,250.97 remains unsatisfied.

5. The Wisconsin investors have never been repaid their principal invested with Premier, nor have they received interest payments as required in the notes.

CONCLUSIONS OF LAW

6. The promissory notes sold by Lambert in Premier are securities as defined by Wis. Stat. § 551.02(13)[1].

7. As described in ¶4 above, Respondents violated Wis. Stat. § 551.41(2) when, in connection with the offer and sale of securities to persons in Wisconsin, Lambert omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

Therefore, pursuant to Wis. Stat. § 551.61(2),

IT IS ORDERED THAT:

1. RESPONDENTS, their agents, servants, employees, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, shall cease and desist from making or causing to be made to any person or entity in Wisconsin any further offers or sales of securities unless and until such securities qualify as covered securities or are registered under Wis. Stats. Ch. 551 or successor statute.

2. All exemptions from registration set forth at Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of any security of or by any of the RESPONDENTS, their successors, affiliates, controlling persons, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are hereby revoked.

3. RESPONDENTS, their agents, servants, employees and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are prohibited from violating Wis. Stats. § 551.501 (2007-08) or successor statute.

[1] Unless otherwise noted, all statutory references are to the Wisconsin Statutes (2005-06), which were in effect at the time of the violations alleged and apply pursuant to § 551.703, Wis. Stats. (2007-08).

4. RESPONDENTS, their successors, affiliates, controlling persons, officers, agents, servants, employees, and every entity and person directly or indirectly controlled or hereafter organized by or on behalf of either RESPONDENT, are prohibited from violating Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of a security of or by RESPONDENTS.

EXECUTED at Madison, Wisconsin, this 24th day of March, 2016.

(SEAL)

Christopher N. Green
Acting Administrator
Division of Securities

STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of

PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,

Respondents.

AFFIDAVIT OF COMPLIANCE WITH SERVICE OF PROCESS

File No. S-230624 (EX)

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Leslie M. Van Buskirk, being duly sworn, does hereby certify the following as evidence of compliance of service on the Respondents of the Order to Cease & Desist (Summary Order) and Notice of Order issued in the above-captioned case:

1. I am the Administrator of the Division of Securities of the Department of Financial Institutions for the State of Wisconsin ("the Division").

2. As set forth in the Summary Cease and Desist Order issued on March 24, 2016 (the "Order"), I find that the Respondents have engaged in an act, practice, or course of business prohibited or made actionable by Wisconsin Statutes, Ch. 551 ("Ch. 551"), and that they have not filed a consent to service with the Division under Wis. Stat. § 551.611(1). A true and correct copy of this Order has been posted at the public website of the Wisconsin Department of Financial Institutions, www.wdfi.org [1], and is attached hereto as Exhibit A.

3. Pursuant to Wis. Stat. § 551.611(2), the conduct of Respondents in engaging in such violation of Ch. 551 alleged in the Order, constitutes the appointment of the administrator as the agent for service of process in the above-captioned administrative proceeding.

4. I acknowledge receipt of the Order and Notice of Order issued in the above-captioned case.

5. I have directed that a copy of this Affidavit, together with the Order and Notice of Order and the Affidavits of Attempted Service, be sent by certified mail return receipt requested to the last known address for each Respondent, as well as the prior address and posted on the public website of the State of Wisconsin, Department of Financial Institutions. A true and correct copy of the Affidavits of Attempted Service are attached as Exhibit B.

6. This final attempt, together with the prior attempts to notify the Respondents of the Order issued in this case, is offered as evidence of compliance with Wis. Stat. § 551.611(3).

[1] http://www.wdfi.org/_resources/indexed/site/newsroom/admin_orders/2016/PremierFundingInvestmentsLLCLambert_Notice.pdf
http://www.wdfi.org/_resources/indexed/site/newsroom/admin_orders/2016/PremierFundingInvestmentsLLCLambert_Order.pdf

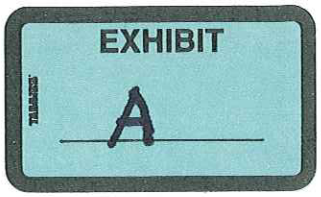
Leslie M. Van Buskirk
Administrator
Division of Securities

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Subscribed to and sworn to before me this
14th day of October, 2016

Karen L. Riemer, Notary Public
My commission is permanent.




EXHIBIT
A

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of	NOTICE OF SUMMARY ORDER
PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,	File No. S-230624 (EX)
Respondents.	

YOU ARE NOTIFIED that pursuant to the legal authority granted to the Administrator of the State of Wisconsin, Department of Financial Institutions, Division of Securities ("Division") under the Wisconsin Uniform Securities Law, Chapter 551, Wis. Stats. ("WUSL"), the Division issues this Summary Order to Respondents.

YOU ARE FURTHER NOTIFIED that this Summary Order is effective on the date it is issued. **You are advised that any willful violation of an Order issued by the Division under Wis. Stats. Ch. 551 is a criminal offense punishable under the provisions of Wis. Stat. § 551.508 (2013-14).**

YOU ARE FURTHER NOTIFIED that you have a right to request a hearing on the matters set forth in the Summary Order as set forth in Wis. Stat. §551.61(2).[i] Pursuant to Wis. Admin. Code DFI § 8.01, any request for a hearing must be in the form of a written petition filed with the Division within 30 days after the date of service of this Notice and Summary Order. A petition for a hearing to review an order shall:

(1) Plainly admit or deny each specific allegation, finding, or conclusion in the Order and any incorporated papers. However, if the petitioner lacks sufficient knowledge or information to permit an admission or denial, the petition shall so state, and that statement shall have the effect of a denial. Any allegation, finding, or conclusion that is not denied shall be deemed admitted; and

(2) State all affirmative defenses. Affirmative defenses not raised in the request for hearing may be deemed waived.

YOU ARE FURTHER NOTIFIED that, within 15 days after the Division's receipt of a request, the Division will schedule the matter for hearing. If you do not request a hearing within 30 days after the date of this Notice and Summary Order, the Order shall become final by operation of law.

The failure to file a written petition within the required time shall constitute a waiver of the right to a hearing and the Summary Order shall become final by operation of law.

[i] Unless otherwise noted, all statutory references are to the Wisconsin Statutes (2005-06), which were in effect at the time of the violations alleged and apply pursuant to § 551.703, Wis. Stats. (2007-08).

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of

PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,

Respondents.

ORDER TO CEASE AND DESIST (SUMMARY)

File No. S-230624 (EX)

The Administrator of the State of Wisconsin, Department of Financial Institutions, Division of Securities ("the Division"), having authority to administer and provide for enforcement of the Wisconsin Uniform Securities Law, Wis. Stats. Chapter 551, ("WUSL"), and having determined that this action is necessary and appropriate in the public interest and for the protection of investors, hereby enters this Order directing Respondents to immediately Cease and Desist from violating the WUSL.

Based upon the evidence obtained by the Division's Bureau of Enforcement, there are grounds sufficient for the Administrator to make the following findings of fact and conclusions of law:

RESPONDENTS

1. Premier Funding & Investment, LLC ("Premier") was organized as a Wisconsin limited liability company on April 14, 2003, but became delinquent in April 2009 and was administratively dissolved on November 9, 2011. David James Lambert was its registered agent and manager. Its last known business address was 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

2. David J. Lambert, ("Lambert") is an adult born in July 1975, who at all times material hereto has been the promoter and manager of Premier, with a last known address at 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

FINDINGS OF FACT

3. In 2006 through 2007, Lambert offered an opportunity to investment in promissory notes of Premier to be repaid in one year with 20% interest to at least three people in Wisconsin.

4. In connection with the offers and sales of the promissory notes of Premier to the Wisconsin investors, Lambert omitted to disclose material facts to investors, including but not limited to the following:

    a. In May, 2001, Direct Merchants Credit Card Bank docketed a judgment against Lambert for $8940.64 in Chippewa County Case No. 2001-CV-000074, which he satisfied on March 20, 2002.

b. In June, 2003, The Northwestern Bank filed a foreclosure action on a mortgage taken by Lambert and his company Diversified Trade Services LLC ("DTS"), in which a default judgment was taken on September 12, 2005, and a sheriff's sale was confirmed on December 19, 2005 in Rusk County Case No. 03-CV-000068.

c. In April, 2004, Lyman Lumber received a judgment against Lambert and DTS for $34,057.68 in Rusk County Case No. 2003-CV-000107, which was docketed in May, 2004 and satisfied on July 12, 2006. In that same action, the judgment docketed by Pella Windows & Doors against Lambert's company, DTS, for $16,250.97 remains unsatisfied.

5. The Wisconsin investors have never been repaid their principal invested with Premier, nor have they received interest payments as required in the notes.

CONCLUSIONS OF LAW

6. The promissory notes sold by Lambert in Premier are securities as defined by Wis. Stat. § 551.02(13)[1].

7. As described in ¶4 above, Respondents violated Wis. Stat. § 551.41(2) when, in connection with the offer and sale of securities to persons in Wisconsin, Lambert omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

Therefore, pursuant to Wis. Stat. § 551.61(2),

IT IS ORDERED THAT:

1. RESPONDENTS, their agents, servants, employees, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, shall cease and desist from making or causing to be made to any person or entity in Wisconsin any further offers or sales of securities unless and until such securities qualify as covered securities or are registered under Wis. Stats. Ch. 551 or successor statute.

2. All exemptions from registration set forth at Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of any security of or by any of the RESPONDENTS, their successors, affiliates, controlling persons, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are hereby revoked.

3. RESPONDENTS, their agents, servants, employees and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are prohibited from violating Wis. Stats. § 551.501 (2007-08) or successor statute.

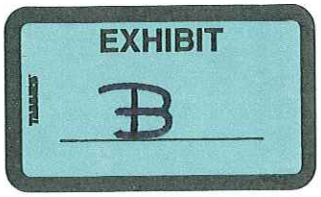
[1] Unless otherwise noted, all statutory references are to the Wisconsin Statutes (2005-06), which were in effect at the time of the violations alleged and apply pursuant to § 551.703, Wis. Stats. (2007-08).

4. RESPONDENTS, their successors, affiliates, controlling persons, officers, agents, servants, employees, and every entity and person directly or indirectly controlled or hereafter organized by or on behalf of either RESPONDENT, are prohibited from violating Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of a security of or by RESPONDENTS.

EXECUTED at Madison, Wisconsin, this 24th day of March, 2016.

(SEAL)

Christopher N. Green
Acting Administrator
Division of Securities


EXHIBIT
B

STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of

PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,

Respondents.

AFFIDAVIT OF ATTEMPTED SERVICE

File No. S-230624 (EX)

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Mark E. Dorman, being duly sworn, does hereby certify that the following attempts have been made to effect personal service on the Respondents of the Order to Cease & Desist (Summary Order) and Notice of Order issued in the above-captioned case:

1. I am employed as a Senior Securities Examiner for the Wisconsin Department of Financial Institutions, Division of Securities ("Division") during all relevant times and all actions described in this affidavit were done within the scope of my employment.

2. On or about June 16, 2016, the Wisconsin Department of Justice notified me of a new address for David Lambert and Premier Funding & Investments, LLC, at 330 Carlson Parkway, #202, Minnetonka, MN 55305 (Hennepin County).

3. On or about July 7, 2016, I retained the Sheriff's Office of Hennepin County, Minnesota to serve a copy of the Order and the Notice of Order issued in the above-captioned case on the Respondents at the address listed in paragraph 2 above. Attached as Exhibit A is a true and accurate copy of my letter requesting service.

4. On or about August 19, 2016, I received an affidavit of non-service from Deputy Sheriff Joel Svenby of Hennepin County Sheriff's Department. Attached as Exhibit B is a true and accurate copy of the affidavit I received.

5. On or about August 31, 2016, I retained Metro Legal Services, a private process server, to effect personal service on the Respondents at the address listed in paragraph 2 above. Attached as Exhibit C is a true and accurate copy of the letter I sent requesting service on the Respondents.

6. On or about September 27, 2016, I received an affidavit of non-service from Metro Legal, a true and accurate copy of which is attached as Exhibit D.

7. This Affidavit is submitted in support of the Division's offer of proof of reasonable steps to give notice to the Respondents in the above- captioned case.

Mark E. Dorman
Senior Securities Examiner

State of Wisconsin)
)ss.
County of Dane)

Subscribed to and sworn to before me this
13th day of October, 2016

Karen L. Riemer, Notary Public.
My commission is permanent.

KAREN L. RIEMER
NOTARY PUBLIC
STATE OF WISCONSIN

State of Wisconsin

Department of Financial Institutions

Scott Walker, **Governor** Lon E. Roberts, **Secretary**

July 7, 2016

Civil Process Service
c/o Hennepin County Sheriff's Department
350 S. Fifth Street
Room 30
Minneapolis, MN 55415

Re: David J. Lambert and Premier Funding & Investments, LLC; Our File No. S-230264(EX)

Dear Sir or Madam:

This is to request that your department serve the enclosed administrative orders upon David J. Lambert, for himself and one for his business of Premier Funding & Investments, LLC. Mr. Lambert is an adult white male, born in July 1975, whose home address of 330 Carlson Parkway, #202, Minnetonka, MN 55305, is in Hennepin County.

After serving Mr. Lambert, please provide a proof of service form, attach it to the second enclosed copies, and send it to this agency with the bill.

Please note that Special Agent Joseph Welsch of the Wisconsin Department of Justice has had a recent contact with Mr. Lambert and has information that may be important to personnel serving these papers on Mr. Lambert. Special Agent Welsch's direct telephone number in Eau Claire is 715-781-6231.

If Mr. Lambert is not at home when you attempt to serve him, please serve a family member of Mr. Lambert residing at the home as substitute service. The wife of Mr. Lambert is Shveta Nagpal, born in June 1979, who is from India.

If you have questions of my request for service, contact me at (608) 266-1157, by electronic mail at mark.dorman@wi.gov, by facsimile machine number (608) 264-7979, or at the address listed below. Thank you for your help and cooperation.

Sincerely,

MD

Mark Dorman, Examiner
Bureau of Enforcement

enclosures

EXHIBIT
A

Division of Securities
Mail: PO Box 1768 Madison, WI 53701-1768 Courier: 201 W. Washington Ave. Suite 300, Madison, WI 53703
Voice: (608) 266-1064 Fax: (608) 264-7979 Internet: www.wdfi.org

Notice

Sheriff # 16010676

CERTIFICATE OF UNSERVED PROCESS

STATE OF MINNESOTA
COUNTY OF HENNEPIN

In the Matter of vs. Premier Funding & Investments, LLC and David J Lambert

S-230624 (EX)

The attached process for **David J Lambert** is returned for the following reason(s):

Return - No Response - Multiple attempts with no response



Dated August 10, 2016

RICHARD W. STANEK
HENNEPIN COUNTY SHERIFF

Fees:
Service $80.00

Total $80.00

By _____ #552
Joel Svenby (552), Deputy Sheriff

Hennepin County Sheriff's Office
Richard W. Stanek, Sheriff

08/16/2016
Sheriff #: 16010676

RECEIVED
AUG 19 2016
Wisconsin Dept of
Financial Institutions

State of Wisconsin Department of Financial Insti Ref #: S-230624 (EX)
Attn: Mark Dorman, Examiner
PO Box 1768
Madison WI 53701-1768

Plaintiff
In the Matter of
Defendant
Premier Funding & Investments, LLC and David J Lambert

Type of Process:
Notice

Date Received
07/27/2016

Date Completed
08/16/2016

Total Deposit Received:
$ 105.00

Fees:

Service		$80.00
Fee Total:	$	80.00
Receipts:	$	105.00
Total Due:	$	0.00
Refund:	$	25.00

NOTICE

1. The Sheriff's records are filed according to the Sheriff number shown above. Please use this number for future reference.
2. For information pertaining to this letter, please call (612) 348-6205 or (612) 348-6194.

Dorman, Mark E - DFI

From: Dorman, Mark E - DFI
Sent: Wednesday, August 31, 2016 2:00 PM
To: 'service@metrolegal.com'
Subject: Process service on David Lambert and Premier Funding
Attachments: 20160831134913718.pdf

Dear Sir or Madam:

I am writing as a follow-up to my telephone contact yesterday with personnel of your firm concerning process server services of my agency's cease and desist orders on David Lambert and his business of Premier Funding & Investments, LLC. I have attached a cover letter and two copies of the cease and desist orders – one to be served on Lambert and one on Lambert for Premier Funding. If you need others for your proof of service form, feel free to copy them.

Please note that the Hennepin County Sheriff's Department tried and failed three times during August to serve Lambert.

Also please note in my cover letter a contact telephone number for an investigator with the Wisconsin Department of Justice who has important information about Mr. Lambert. If you are not able to talk with this investigator, feel free to contact me to discuss Mr. Lambert.

If you have questions, feel free to ask.

Please acknowledge receipt of this message. Thank you.

Mark Dorman, Examiner
Bureau of Enforcement
Division of Securities
WI Department of Financial Institutions
201 W. Washington Av., 3rd FL
Madison, WI 53703
(608) 266-1157 (o)
(608) 264-7979 (fax)
mark.dorman@wi.gov



State of Wisconsin

Department of Financial Institutions

Scott Walker, **Governor** Lon E. Roberts, **Secretary**

August 31, 2016

Metro Legal Services
330 Second Avenue South
Suite 150
Minneapolis, MN 55401

Re: David J. Lambert and Premier Funding & Investments, LLC; Our File No. S-230264(EX)

Dear Sir or Madam:

This is to request that your firm serve the attached administrative orders upon David J. Lambert, for himself and one for his business of Premier Funding & Investments, LLC. Mr. Lambert is an adult white male, born in July 1975, whose home address of 330 Carlson Parkway, #202, Minnetonka, MN 55305.

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Please note that Special Agent Joseph Welsch of the Wisconsin Department of Justice has had a recent contact with Mr. Lambert and has information that may be important to personnel serving these papers on Mr. Lambert. Special Agent Welsch's direct telephone number in Eau Claire is 715-781-6231.

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Sincerely,

Mark Dorman, Examiner
Bureau of Enforcement

enclosures

Division of Securities
Mail: PO Box 1768 Madison, WI 53701-1768 Courier: 201 W. Washington Ave. Suite 300, Madison, WI 53703
Voice: (608) 266-1064 Fax: (608) 264-7979 Internet: www.wdfi.org

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of	NOTICE OF SUMMARY ORDER
PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,	File No. S-230624 (EX)
Respondents.	

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YOU ARE FURTHER NOTIFIED that you have a right to request a hearing on the matters set forth in the Summary Order as set forth in Wis. Stat. §551.61(2).[1] Pursuant to Wis. Admin. Code DFI § 8.01, any request for a hearing must be in the form of a written petition filed with the Division within 30 days after the date of service of this Notice and Summary Order. A petition for a hearing to review an order shall:

(1) Plainly admit or deny each specific allegation, finding, or conclusion in the Order and any incorporated papers. However, if the petitioner lacks sufficient knowledge or information to permit an admission or denial, the petition shall so state, and that statement shall have the effect of a denial. Any allegation, finding, or conclusion that is not denied shall be deemed admitted; and

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[1] Unless otherwise noted, all statutory references are to the Wisconsin Statutes (2005-06), which were in effect at the time of the violations alleged and apply pursuant to § 551.703, Wis. Stats. (2007-08).

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of

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Respondents.

ORDER TO CEASE AND DESIST (SUMMARY)

File No. S-230624 (EX)

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Based upon the evidence obtained by the Division's Bureau of Enforcement, there are grounds sufficient for the Administrator to make the following findings of fact and conclusions of law:

RESPONDENTS

1. Premier Funding & Investment, LLC ("Premier") was organized as a Wisconsin limited liability company on April 14, 2003, but became delinquent in April 2009 and was administratively dissolved on November 9, 2011. David James Lambert was its registered agent and manager. Its last known business address was 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

2. David J. Lambert, ("Lambert") is an adult born in July 1975, who at all times material hereto has been the promoter and manager of Premier, with a last known address at 15756 93rd Street, Chippewa Falls, Wisconsin 54729.

FINDINGS OF FACT

3. In 2006 through 2007, Lambert offered an opportunity to investment in promissory notes of Premier to be repaid in one year with 20% interest to at least three people in Wisconsin.

4. In connection with the offers and sales of the promissory notes of Premier to the Wisconsin investors, Lambert omitted to disclose material facts to investors, including but not limited to the following:

    a. In May, 2001, Direct Merchants Credit Card Bank docketed a judgment against Lambert for $8940.64 in Chippewa County Case No. 2001-CV-000074, which he satisfied on March 20, 2002.

b. In June, 2003, The Northwestern Bank filed a foreclosure action on a mortgage taken by Lambert and his company Diversified Trade Services LLC ("DTS"), in which a default judgment was taken on September 12, 2005, and a sheriff's sale was confirmed on December 19, 2005 in Rusk County Case No. 03-CV-000068.

c. In April, 2004, Lyman Lumber received a judgment against Lambert and DTS for $34,057.68 in Rusk County Case No. 2003-CV-000107, which was docketed in May, 2004 and satisfied on July 12, 2006. In that same action, the judgment docketed by Pella Windows & Doors against Lambert's company, DTS, for $16,250.97 remains unsatisfied.

5. The Wisconsin investors have never been repaid their principal invested with Premier, nor have they received interest payments as required in the notes.

CONCLUSIONS OF LAW

6. The promissory notes sold by Lambert in Premier are securities as defined by Wis. Stat. § 551.02(13)[1].

7. As described in ¶4 above, Respondents violated Wis. Stat. § 551.41(2) when, in connection with the offer and sale of securities to persons in Wisconsin, Lambert omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

Therefore, pursuant to Wis. Stat. § 551.61(2),

IT IS ORDERED THAT:

1. RESPONDENTS, their agents, servants, employees, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, shall cease and desist from making or causing to be made to any person or entity in Wisconsin any further offers or sales of securities unless and until such securities qualify as covered securities or are registered under Wis. Stats. Ch. 551 or successor statute.

2. All exemptions from registration set forth at Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of any security of or by any of the RESPONDENTS, their successors, affiliates, controlling persons, and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are hereby revoked.

3. RESPONDENTS, their agents, servants, employees and every entity and person directly or indirectly controlled or organized by or on behalf of any RESPONDENT, are prohibited from violating Wis. Stats. § 551.501 (2007-08) or successor statute.

[1] Unless otherwise noted, all statutory references are to the Wisconsin Statutes (2005-06), which were in effect at the time of the violations alleged and apply pursuant to § 551.703, Wis. Stats. (2007-08).

4. RESPONDENTS, their successors, affiliates, controlling persons, officers, agents, servants, employees, and every entity and person directly or indirectly controlled or hereafter organized by or on behalf of either RESPONDENT, are prohibited from violating Wis. Stats. Ch. 551 or successor statute that might otherwise apply to any offer or sale of a security of or by RESPONDENTS.

EXECUTED at Madison, Wisconsin, this 24th day of March, 2016.

(SEAL)

Christopher N. Green
Acting Administrator
Division of Securities

STATE OF MINNESOTA

AFFIDAVIT OF NON SERVICE

COUNTY OF HENNEPIN

METRO LEGAL SERVICES

Jason A. Behlke, agent for Metro Legal Services, Inc., being first duly sworn on oath, deposes and states on September 9, 2016, at 6:20 PM that agents in his employ attempted to serve the attached:

Notice of Summary Order & Order to Cease and Desist (Summary)

upon the within-named:

David J. Lambert

at the address of:

330 Carlson Parkway, Unit 202, Minnetonka, County of Hennepin, State of Minnesota, and was unable to effect personal service of process for the following reasons:

- Premises are a secured building and the subject's name is not on the directory.

FURTHER YOUR AFFIANT SAITH NOT

9 / 9 / 2016

Jason A. Behlke, Process Server

Subscribed and sworn to before me on

9 / 9 / 2016

S. Chanthakeo

SOUDAVANH CHANTHAKEO
NOTARY PUBLIC-MINNESOTA
My Commission Expires
January 31, 2017

2109577 - 1

RE: S-230264(EX)

EXHIBIT

D

STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES

In the Matter of	AFFIDAVIT OF ATTEMPTED SERVICE
PREMIER FUNDING & INVESTMENTS, LLC, and DAVID J. LAMBERT,	File No. S-230624 (EX)
Respondents.	

STATE OF WISCONSIN)
)ss.
COUNTY OF DANE)

Jaki Welter, being duly sworn, does hereby certify that the following attempts have been made to effect service on the Respondents of the Order to Cease & Desist (Summary Order) and Notice of Order issued in the above-captioned case:

1. I am employed as an Operations Program Assistant for the Wisconsin Department of Financial Institutions, Division of Securities ("Division") during all relevant times and all actions described in this affidavit were done within the scope of my employment.

2. On or about March 25, 2016, I caused a copy of the Order and the Notice of Order issued in the above-captioned case to be posted on the Wisconsin Department of Financial Institutions public website, www.wdfi.org [1]. Attached as Exhibit A is a true and accurate copy of the website page at http://wdfi.org/newsroom/admin_orders/dos_default.htm

3. On or about March 25, 2016, I mailed, via U.S.P.S., Certified Mail with Electronic Return Receipt Requested, a copy of the Order and Notice of Order issued in the above-captioned case. The envelope was addressed to: David Lambert and Premier Funding & Investments, LLC, 15756 93rd St., Chippewa Falls, WI 54729, the last known address on file. Attached as Exhibit B is a true and accurate copy of my cover letter and registered mail receipt.

4. This letter described in paragraph 3 was returned undelivered on or about March 31st, 2016. The attached Exhibit B contains a true and accurate printout from the U.S.P.S. website showing the registered mail checkpoints.

5. On or about April 11, 2016, I mailed, via U.S.P.S Certified Mail, Electronic Return Receipt Requested, a copy of the Order and Notice of Order to David J Lambert, 808 Carmichael Road, Hudson, WI 54016, the address provided from the Wisconsin Department of Workforce Development. Attached as Exhibit C is a true and accurate copy of my cover letter and registered mail receipt.

6. Upon information and belief, 808 Carmichael Road in Hudson is a business that has mailboxes for people for rent. The person in charge of the office accepted the envelope

---

[1] http://www.wdfi.org/_resources/indexed/site/newsroom/admin_orders/2016/PremierFundingInvestmentsLLCLambert_Notice.pdf
http://www.wdfi.org/_resources/indexed/site/newsroom/admin_orders/2016/PremierFundingInvestmentsLLCLambert_Order.pdf

containing the Order and Notice of Order, but the envelope was not collected by the addressed party from his rented mailbox, so this letter was Refused on May 13th, 2016. The attached Exhibit C contains a true and accurate printout from the U.S.P.S. website showing the registered mail checkpoints.

7. This letter described in paragraph 5 was returned undelivered on or about May 19, 2016. *See id.*

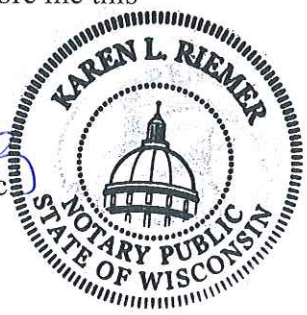
8. This Affidavit is submitted in support of the Division's offer of proof of reasonable steps to give notice to the Respondents of the Order and Notice of Order in the above- captioned case.

Jaki Welter
Operations Program Assistant
Division of Securities

State of Wisconsin)
)ss.
County of Dane)

Subscribed to and sworn to before me this
14th day of October, 2016

Karen L. Riemer, Notary Public
My commission is permanent.



State of Wisconsin
Department of Financial Institutions
Strengthening Wisconsin's Financial Future

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Signed copies of Petitions for Order and Orders associated with the following persons or entities are available in the PDF format.

See Links to Archives below

Jean Walsh-Josephson - Case No. S-233148(LX) - A Summary Order to Permanently Bar Broker-Dealer Agent Registration and Notice of Proposed Order to Revoke Broker-Dealer Agent Registration was issued against Jean Walsh-Josephson. The Respondent is permanently barred from becoming registered as an agent of a broker-dealer under Wis. Stat. Ch. 551, as the result of her conduct and pursuant to Wis. Stat. §§ 551.412(4)(e)(5), 551.412(4)(e)(3) and 551.412(4)(m). The Respondent is prohibited from any further violations of Wis. Stat. Ch. 551, from making or causing to be made to any person or entity in Wisconsin any further offers or sales of securities unless and until such securities qualify as covered securities or are registered under Ch. 551, or successor statute, or properly exempted therefrom, pursuant to Wis. Stat. §§ 551.604(1)(a) and (2), and all exemptions from registration set forth in Ch. 551, that may otherwise apply to any sale or offer to sale of securities by Respondent are hereby revoked, pursuant to Wis. Stat. §§ 551.604(1)(b)(2). It is further proposed that a final order revoking the Respondent's broker-dealer agent registration be issued pursuant to Wis. Stat. §§ 551.412(2) and (7).

Order was issued September 30, 2016

- Jean Walsh-Josephson, Order

Gregory P. Handel and Advisors Insurance Group, LLC d/b/a Senior Advisors Insurance Group - File No. S-234064(EX) - A Summary Order to Cease and Desist including Restitution and Interest was issued pursuant to Wis. Stat. § 551.604 against Gregory P. Handel and his company, Advisors Insurance Group, LLC for violating Wis. Stat. § 551.403(1) when Handel, through Advisors Insurance Group, LLC, acted as an unregistered investment adviser, and for violating Wis. Stat. §§ 551.501 (2) and (3) when he made misrepresentations and omitted to state material facts in connection with the sale of securities. The Respondents are ordered to cease and desist from further violating Wis. Stat. Ch. 551 and it is further proposed that a final order, including the payment of restitution and interest to the investor suffering a loss as the result of the violations, be issued against the Respondents, jointly and severally.

Order was issued September 30, 2016

- Gregory P. Handel and Advisors Insurance Group, LLC dba Senior Advisors Insurance Group Order

Pivotpoint Advisors, LLC and John M. Norquay - File No. S-235546(LX) - A Summary Order to Cease and Desist, Denying Application for Investment Adviser Registration and Imposing Disgorgement and Interest was issued against Pivotpoint Advisors, LLC and John M. Norquay for violating Wis. Stat. §§ 551.403 and 551.404 respectively, when they transacted business in Wisconsin as an investment adviser and investment adviser representative without being registered or exempted for registration with the Division. Respondents violated Wis. Stat. § 551.412(4)(a) and Wis. Admin. Code § DFI-Sec 5.01 by failing to complete the application for investment adviser registration within 6 months after it was initially received by the Division. The Respondents are ordered to disgorge the advisory fees they collected while unregistered, along with interest calculated at the legal rate prescribed by Wis. Stat. § 138.04.

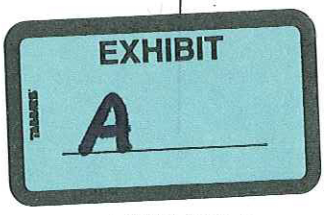
Order was issued September 28, 2016

- Pivotpoint Advisors, LLC and John M. Norquay, Order

3E Tennessee, Inc. and Jason W. Towe - Case No. S-235298(EX) – A Consent Cease and Desist Order was issued against Jason W Towe and 3E Tennessee Inc. for two violations of Wis. Stats § 551.501(2) by omitting material facts prior to a Wisconsin resident investing more than $50,000 in a security offered by the Respondents. The Respondents are ordered to cease and desist from offering or selling unregistered securities or those not qualified as federal covered securities. All state law exemptions from registration are revoked and Respondents are prohibited from violating Wis. Stat. Ch. 551 in the future.

Order issued September 16, 2016

- 3E Tennessee, Inc. and Jason W. Towe, Waiver
- 3E Tennessee, Inc. and Jason W. Towe, Order



Lucky Taco, Inc. and Timothy P. McQuiston - File No. S-233500(EX) - A Summary Order to Cease and Desist was issued to the Respondents for violation of Wis. Stats. § 551.501(2) by omitting to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, in the offer and sale of securities.

Order issued September 8, 2016

- Lucky Taco, Inc. and Timothy P. McQuiston, Order

The Investment Counsel LLC and Brandon M. Adkins - File No. S-233356(LX) - A Summary Order Restricting and Suspending Investment Adviser and Investment Adviser Representative Registrations, Imposing Cease and Desist, and Revoking Registration Exemptions and Notice of Proposed Order to Revoke Investment Adviser and Investment Adviser Representative Registrations, and Impose Civil Penalties, Restitution, Interest and Cost was issued against The Investment Counsel LLC and Brandon M Adkins for violation of numerous Wis. Stat. ch. 551 violations as a result of conduct involving engaging in dishonest or unethical practices in securities and improperly borrowing $30,000 from an elderly client.

Order issued September 2, 2016

- Investment Counsel LLC and Brandon M. Adkins, Order

Maxine Gehrt - Case No. S-233148(EX) – An Order of Permanent Bar was issued for violation of Wis. Stats. § 551.412(4)(m). Maxine Gehrt is hereby permanently barred from becoming registered as an agent of a broker-dealer under Wis. State. Ch. 551 as the result of her misconduct in aiding Jean Walsh Josephson in misappropriating at least $300,000 in client funds, and her willful failure to comply with Thrivent's notification policy concerning Josephson's acceptance of cash from clients.

Order issued August 30, 2016

- Maxine Gehrt, Waiver
- Maxine Gehrt, Order

Premier Funding & Investments LLC and David J Lambert - Case No. S-230624 (EX) – A Cease and Desist Order was issued against Premier Funding & Investments, LLC and David J Lambert for violation of Wis. Stats. § 551.41(2) by omitting to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.

Order issued March 24, 2016

- Premier Funding & Investments LLC and David J Lambert, Notice
- Premier Funding & Investments LLC and David J Lambert, Order

Dine In 2Nite North America, Inc., Dine In 2Nite North America, LLC and Leo Kats - Case No. S-233571 (FX) – A Summary Order of Prohibition was issued against Dine In 2Nite North America, Inc., Dine In 2Nite North America, LLC and Leo Kats for violation of Wis. Stat. §553.21 by selling a franchise in Wisconsin without registering under Wis. Stat. Ch. 553 or being exempted under Wis. Stat. § § 553.23, 553.235 or 553.25 and violation of Wis. Stat. §553.41(5) for willfully representing to prospective franchisees that the franchise was registered in Wisconsin when that was not the case.

March 15, 2016.

- Dine In 2Nite North America Inc., Dine In 2Nite North America LLC and Leo Kats, Order

Pivotpoint Advisors, LLC and John M. Norquay - Case No. S-228781 (EX) – Following the issuance of a Summary Order on June 3, 2015, the Respondents petitioned for a hearing to void or modify the Summary Order. The Respondents subsequently agreed to the issuance of a Consent Order as final resolution. Respondents consented to an Order for violations of Wis. Stat. §551.301 for selling an unregistered promissory note and of Wis. Stat. §551.501(2) for omitting to state material facts necessary in order to make the statements, in light of the circumstances under which they were made, not misleading. The Respondents also violated various sections of the Wisconsin Administrative Code as it applies to registered investment advisors. Respondents are suspended for 30 calendar days, and shall pay restitution of $2,521.61.

Order was issued on January 14, 2016 and **supersedes** a prior Summary Order issued on June 3, 2015.

- Pivotpoint Advisors, LLC and John M. Norquay, Waiver
- Pivotpoint Advisors, LLC and John M. Norquay, Order

To: 2015 Securities Administrative Order Archive

To: 2014 Securities Administrative Order Archive

To: 2013 Securities Administrative Order Archive

To: 2012 Securities Administrative Order Archive

To: 2011 Securities Administrative Order Archive

To: 2010 Securities Administrative Order Archive

To: 2009 Securities Administrative Order Archive

To: 2008 Securities Administrative Order Archive

To: 2007 Securities Administrative Order Archive

To: 2006 Securities Administrative Order Archive

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State of Wisconsin

Department of Financial Institutions

Scott Walker, **Governor** Lon E Roberts, **Secretary**

March 25, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David J Lambert
Premier Funding & Investments, LLC
15756 93rd St
Chippewa Falls, WI 54729

Re: Premier Funding & Investments, LLC and David J. Lambert
File No. S-230624(EX)

Enclosed is your copy of the Notice of Summary Order issued against you in the above-referenced matter, together with a copy of the Order to Cease and Desist on the basis of which that Order was issued.

Sincerely,

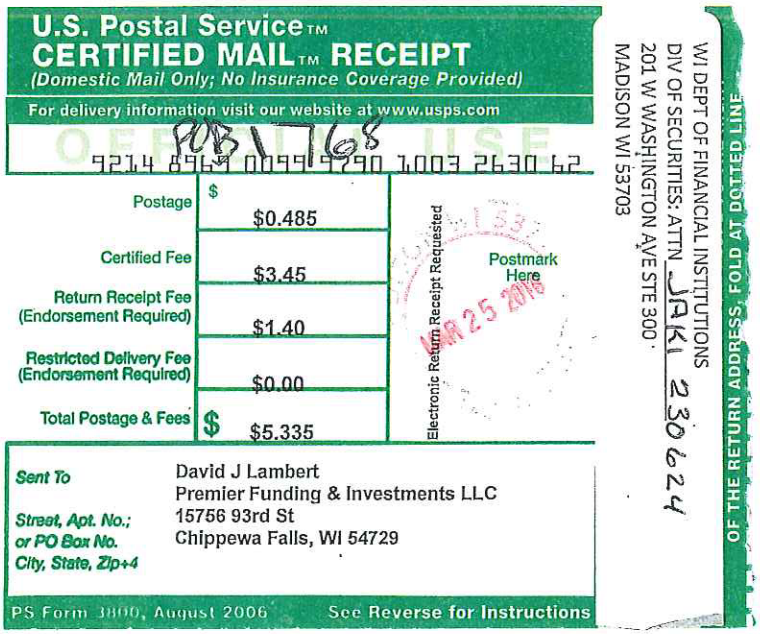
Jaki L Welter

Jaki L Welter
Enforcement Unit

enclosure

EXHIBIT
B

Division of Securities
Mail: PO Box 1768 Madison, WI 53701-1768 Courier: 201 W. Washington Ave. 3rd Floor Madison, WI 53703
Voice: (608) 266-1064 Fax: (608) 264-7979 TTY: (608) 266-8818 Internet: www.wdfi.org



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MAR 25 2015

Electronic Return Receipt Requested

Sent To David J Lambert
Premier Funding & Investments LLC

Street, Apt. No.; or PO Box No. 15756 93rd St

City, State, Zip+4 Chippewa Falls, WI 54729

PS Form 3800, August 2006 See Reverse for Instructions

WI DEPT OF FINANCIAL INSTITUTIONS
DIV OF SECURITIES: ATTN JAKI 230624
201 W WASHINGTON AVE STE 300
MADISON WI 53703

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DATE & TIME	STATUS OF ITEM	LOCATION
March 31, 2016 , 8:30 am	**Delivered**	**MADISON, WI 53701**
Your item was delivered at 8:30 am on March 31, 2016 in MADISON, WI 53701.		
March 31, 2016 , 7:30 am	Arrived at Unit	MADISON, WI 53703
March 31, 2016 , 7:29 am	Available for Pickup	MADISON, WI 53701
March 31, 2016 , 4:07 am	Departed USPS Origin Facility	MADISON, WI 53714
March 30, 2016 , 10:06 am	Arrived at USPS Origin Facility	MADISON, WI 53714
March 29, 2016 , 7:01 pm	Departed USPS Facility	MINNEAPOLIS, MN 55401
March 29, 2016 , 9:13 am	Arrived at USPS Destination Facility	MINNEAPOLIS, MN 55401
March 28, 2016 , 8:26 am	Moved, Left no Address	CHIPPEWA FALLS, WI 54729
March 28, 2016 , 7:16 am	Arrived at Unit	CHIPPEWA FALLS, WI 54729
March 26, 2016 , 11:36 pm	Departed USPS Destination Facility	EAU CLAIRE, WI 54703
March 26, 2016 , 9:03 pm	Arrived at USPS Destination Facility	EAU CLAIRE, WI 54703
March 26, 2016 , 12:01 am	Departed USPS Facility	MILWAUKEE, WI 53201
March 25, 2016 , 11:17 pm	Arrived at USPS Origin Facility	MILWAUKEE, WI 53201
March 25, 2016 , 10:02 pm	Accepted at USPS Origin Facility	MADISON, WI 53701
March 25, 2016	Pre-Shipment Info Sent to USPS, USPS Awaiting Item	

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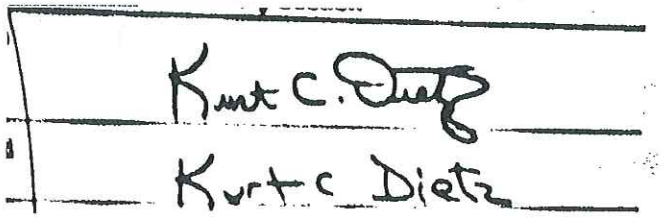
UNITED STATES POSTAL SERVICE

Date: October 11, 2016

jaki welter:

The following is in response to your October 11, 2016 request for delivery information on your Certified Mail™/RRE item number 9214896900999797901003263062. The delivery record shows that this item was delivered on March 31, 2016 at 8:30 am in MADISON, WI 53701. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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Sincerely,
United States Postal Service

State of Wisconsin

Department of Financial Institutions

Scott Walker, **Governor** Lon Roberts, **Secretary**

April 11, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David J Lambert
808 Carmichael Road
Hudson, WI 54016-7759

Re: Premier Funding & Investments, LLC and David J Lambert
File No. S-230624 (EX)

Enclosed is your copy of the Notice of Summary Order issued against you in the above referenced matter, together with a copy of the Order to Cease and Desist on the basis of which that Order was issued.

Sincerely,

Jaki Welter

Jaki Welter
Securities
Bureau of Enforcement

enclosures

EXHIBIT
C

Division of Securities
Mail: PO Box 1768 Madison, WI 53701-1768 Courier: 201 W. Washington Ave. 3rd Floor Madison, WI 53703
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David J Lambert
Premier Funding & Investments LLC
808 Carmichael Rd
Hudson, WI 54016-7759

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DATE & TIME	STATUS OF ITEM	LOCATION
May 19, 2016 , 8:38 am	**Delivered**	**MADISON, WI 53701**
Your item was delivered at 8:38 am on May 19, 2016 in MADISON, WI 53701.		
May 19, 2016 , 7:47 am	Available for Pickup	MADISON, WI 53701
May 19, 2016 , 7:47 am	Arrived at Unit	MADISON, WI 53703
May 19, 2016 , 4:10 am	Departed USPS Origin Facility	MADISON, WI 53714
May 18, 2016 , 12:00 pm	Arrived at USPS Origin Facility	MADISON, WI 53714
May 17, 2016 , 1:36 pm	Departed USPS Destination Facility	MINNEAPOLIS, MN 55401
May 16, 2016 , 1:29 pm	Arrived at USPS Destination Facility	MINNEAPOLIS, MN 55401
May 13, 2016 , 5:12 pm	Refused	HUDSON, WI 54016
April 15, 2016 , 7:52 am	Arrived at Unit	HUDSON, WI 54016
April 14, 2016 , 10:28 pm	Departed USPS Destination Facility	SAINT PAUL, MN 55121
April 14, 2016 , 8:26 am	Arrived at USPS Destination Facility	SAINT PAUL, MN 55121
April 12, 2016 , 11:54 pm	Departed USPS Facility	MILWAUKEE, WI 53201
April 12, 2016 , 10:33 pm	Arrived at USPS Origin Facility	MILWAUKEE, WI 53201
April 12, 2016 , 9:18 pm	Accepted at USPS Origin Facility	MADISON, WI 53701
April 11, 2016	Pre-Shipment Info Sent to USPS, USPS Awaiting Item	

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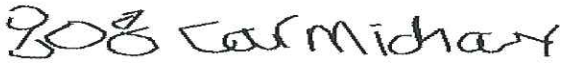
jaki welter:

The following is in response to your April 21, 2016 request for delivery information on your Certified Mail™/RRE item number 9214896900999790100340860 9. The delivery record shows that this item was delivered on April 15, 2016 at 11:01 am in HUDSON, WI 54016. The scanned image of the recipient information is provided below.

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Address of Recipient :



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