



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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**IN THE MATTER OF THE *SECURITIES ACT*  
R.S.O. 1990, c. S.5, AS AMENDED**

**and**

**IN THE MATTER OF GLOBAL PETROLEUM STRATEGIES, LLC, PETROLEUM  
UNLIMITED, LLC AND ROGER A. KIMMEL JR.**

**ORDER  
(Section 127(1), (7), (8) and (10))**

**WHEREAS** the Ontario Securities Commission (the Commission) issued a temporary order on January 6, 2009 (the Temporary Order) against Global Petroleum Strategies, LLC, Petroleum Unlimited, LLC, Aurora Escrow Services, LLC, John Andrew, Vincent Cataldi, Charlotte Chambers, Carl Dylan, James Eulo, Richard Garcia, Troy Gray, Jim Kaufman, Timothy Kaufman, Chris Harris, Morgan Kimmel, Roger A. Kimmel, Jr., Erik Luna, Mitch Malizio, Adam Mills, Jenna Pelusio, Rosemary Salveggi, Stephen J. Shore and Chris Spinler;

**AND WHEREAS** the Temporary Order ordered that: (1) trading in any securities by the respondents cease pursuant to subsection 127(5), paragraph 2 of subsection 127(1) and paragraph 4 of subsection 127(10) of the Act; and (2) any exemptions contained in Ontario securities law do not apply to the respondents pursuant to subsection 127(5), paragraph 3 of subsection 127(1) and paragraph 4 of subsection 127(10) of the Act;

**AND WHEREAS** the Commission further ordered that the Temporary Order is continued until the 15<sup>th</sup> day after its making unless extended by the Commission;

**AND WHEREAS** Petroleum Unlimited, LLC, Aurora Escrow Services, LLC, Morgan Kimmel and Roger A. Kimmel, Jr. were represented by counsel and were served with the Temporary Order, the Notice of Hearing dated January 6, 2009, the Statement of Allegations dated January 5, 2009 and the Affidavit of George Gutierrez sworn January 12, 2009 (the Gutierrez affidavit);

**AND WHEREAS** Staff have filed the Gutierrez Affidavit in support of Staff's request to extend the Temporary Order;

**AND WHEREAS** on January 15, 2009, the Commission extended the Temporary Order on the consent of Petroleum Unlimited, LLC, Aurora Escrow Services, LLC, Morgan Kimmel and Roger A. Kimmel, Jr., the other Respondents not appearing, until February 24, 2009 or further order of the Commission;

**AND WHEREAS** Staff served the Temporary Order, the extension of the Temporary Order, the Statement of Allegations dated January 5, 2009 and a letter providing notice of the hearing scheduled on February 24, 2009 on Global Petroleum Strategies LLC, by serving its principals: Michael Geraud and Robert Rossi by email and Joseph Valko and Jeffrey Jedlicki by courier;

**AND WHEREAS** Staff were unable, to serve the Temporary Order, the Notice of Hearing dated January 6, 2009, the Statement of Allegations dated January 5, 2009 on John Andrew, Vincent Cataldi, Charlotte Chambers, Carl Dylan, James Eulo, Richard Garcia, Troy Gray, Jim Kaufman, Timothy Kaufman, Chris Harris, Erik Luna, Mitch Malizio, Adam Mills, Jenna Pelusio, Rosemary Salveggi, Stephen J. Shore and Chris Spinler;

**AND WHEREAS** on January 6, 2009, the Alberta Securities Commission issued an amended Notice of Hearing with allegations against Global Petroleum Strategies, LLC, Petroleum Unlimited, LLC and Roger A. Kimmel Jr.;

**AND WHEREAS** on February 20, 2009, the Alberta Securities Commission scheduled a hearing into this matter to begin on May 11, 2009;

**AND WHEREAS** Staff served the amended Statement of Allegations dated February 23, 2009 on Global Petroleum Strategies, LLC by serving two of its principals: Michael Geraud and Robert Rossi by email and on Petroleum Unlimited, LLC and Roger A. Kimmel, Jr. by email to their counsel;

**AND WHEREAS** on February 24, 2009, Staff advised the Commission that Petroleum Unlimited, LLC and Roger A. Kimmel, Jr. are now self-represented;

**AND WHEREAS** on February 24, 2009, Staff appeared before the Commission, Roger A. Kimmel, Jr. having provided consent on his own behalf and on behalf of Petroleum Unlimited, LLC in writing. Global Petroleum Strategies, LLC not appearing, to extend the Temporary Order against Petroleum Unlimited, LLC and Roger A. Kimmel, Jr. and to adjourn the hearing to the conclusion of the proceeding commenced by the Alberta Securities Commission and a decision is rendered or such other date as is agreed by Staff and the respondents and is determined by the Office of the Secretary;

**AND WHEREAS** on February 24, 2009, Staff advised the Commission that it is not seeking an extension of the Temporary Order against Aurora Escrow Services, LLC, Morgan Kimmel, John Andrew, Vincent Cataldi, Charlotte Chambers, Carl Dylan, James Eulo, Richard Garcia, Troy Gray, Jim Kaufman, Timothy Kaufman, Chris Harris, Erik Luna, Mitch Malizio, Adam Mills, Jenna Pelusio, Rosemary Salveggi, Stephen J. Shore and Chris Spinler;

**AND WHEREAS** on February 24, 2009, the Commission ordered that the hearing is adjourned and the Temporary Order is extended against Global Petroleum Strategies LLC, Petroleum Unlimited, LLC, and Roger A. Kimmel, Jr. until the conclusion of the proceeding commenced by the Alberta Securities Commission (“ASC”) and a decision is rendered, or such other date as is agreed by Staff and the respondents and is determined by the Office of the Secretary;

**AND WHEREAS** on May 5, 2009, Staff filed the February 20, 2009 ASC order of substitutional service with respect to Global Petroleum Strategies LLC;

**AND WHEREAS** on August 28, 2009, Staff served notice of today’s hearing and a draft order on Global Petroleum Strategies, LLC by email to Michael Geraud and Robert Rossi;

**AND WHEREAS** on September 2, 2009, Staff appeared before the Commission and filed the written consent of Petroleum Unlimited LLC and Roger A. Kimmel Jr. to the order requested, no one appearing for Global Petroleum Strategies LLC;

**AND WHEREAS** on September 2, 2009, Staff advised the Commission that on May 8, 2009, the ASC entered into a settlement agreement with Petroleum Unlimited LLC and Roger A. Kimmel Jr. pursuant to which Petroleum Unlimited LLC and Roger A. Kimmel Jr. gave an undertaking to the Executive Director of the ASC to: (i) cease trading in or purchasing securities for a period of seven years; and (ii) to not use any exemptions in the Alberta securities laws for a period of seven years. In addition, Roger A. Kimmel Jr. gave an undertaking to pay to the Executive Director of the ASC the sum of \$20,000 towards settlement and \$5,000 towards costs;

**AND WHEREAS** on September 2, 2009, Staff advised the Commission that on June 11, 2009, the ASC issued a decision on the merits against Global Petroleum Strategies LLC. The ASC found that Global Petroleum Strategies LLC traded and distributed securities of Petroleum Unlimited LLC in breach of the registration and prospectus requirements of the Alberta *Securities Act*, R.S.A. 2000, c.S-4.

**AND WHEREAS** on September 2, 2009, Staff advised the Commission that on August 14, 2009, the ASC issued a decision on sanctions against Global Petroleum Strategies LLC. The ASC ordered Global Petroleum Strategies LLC to cease trading in or purchasing securities and all of the exemptions contained in Alberta securities laws do not apply to Global Petroleum Strategies LLC permanently. The ASC further ordered Global Petroleum Strategies LLC to pay an administrative penalty of \$300,000;

**AND WHEREAS** the Commission having heard Staff's submissions and having read the written consent of Roger A. Kimmel to the order requested against Petroleum Unlimited LLC and Roger A. Kimmel Jr. personally;

**AND WHEREAS** the Commission considers it to be in the public interest;

**IT IS ORDERED THAT**

1. Pursuant to paragraph 2 of subsection 127(1) of the Act, Petroleum Unlimited LLC and Roger A. Kimmel Jr. cease trading in or purchasing securities for a period of seven years, and;
2. Pursuant to paragraph 3 of subsection 127(1) of the Act, any exemptions contained in Ontario securities law do not apply to Petroleum Unlimited LLC and Roger A. Kimmel Jr. for a period of seven years;
3. Pursuant to paragraph 2 of subsection 127(1) of the Act, Global Petroleum Strategies LLC cease trading in or purchasing securities permanently, and;
4. Pursuant to paragraph 3 of subsection 127(1) of the Act, any of the exemptions contained in Ontario securities law do not apply to Global Petroleum Strategies LLC permanently.

**DATED** at Toronto this 2<sup>nd</sup> day of September 2009.

"Patrick J. LeSage"  
Patrick J. LeSage, Q.C