

BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF DELAWARE

IN THE MATTER OF:)
)
)
ALLIED CAPITAL GROUP, INC.,) CASE NO. 89-02-04
FLOYD J. STUMPF,)
)
Respondents.)

STIPULATION AND CONSENT ORDER

WHEREAS, on April 6, 1989, the State of Delaware through the Attorney General and the Securities Commissioner, issued a Summary Order of Suspension and Notice of Intent to Revoke Broker-Dealer Agent Registration of Floyd J. Stumpf alleging numerous violations of the Delaware Securities Act by Floyd J. Stumpf.

WHEREAS, the parties to the above-referenced administrative proceeding have agreed to resolve the administrative proceeding as to Floyd J. Stumpf only, on the grounds that Floyd J. Stumpf shall comply with the following stipulation and consent order.

NOW THEREFORE, IT IS HEREBY STIPULATED THAT:

1. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Express Tech, Inc. to a Delaware resident, in or about September, 1988.
2. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Taste It Presents, Inc. to , a Delaware resident, in or about August, 1988.

3. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he failed to make a reasonable investigation and exercise due diligence regarding the sale of Taste It Presents, Inc. to _____, a Delaware resident, in or about August, 1988.

4. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of OTC America, Inc. to _____, a Delaware resident, in or about July, 1988.

5. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Taste It Presents, Inc. to _____, a Delaware resident, in or about August, 1988.

6. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Taste It Presents, Inc. to _____, a Delaware resident, in or about August, 1988.

7. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Davin Enterprises Inc. to _____, a Delaware resident, in or about October, 1988.

8. Floyd J. Stumpf admits a violation of 6 Del. C. Section 7316(a)(7) in that he recommended an unsuitable investment, regarding the sale of Taste It Presents, Inc. to _____, a Delaware resident, in or about July, 1988.

, and

The Department of Justice shall decide, in its discretion, the appropriate method of apportioning the funds to the above-listed investors. This payment shall not limit any other right the investors may have to seek damages from any party.

14. Floyd J. Stumpf agrees to testify fully and truthfully at any hearings before the Securities Commissioner of the State of Delaware relating to Allied Capital Group, Inc., Powers Securities Corporation, and their officers, directors and managers. Floyd J. Stumpf agrees to bear all expenses of testimony at any such hearings, if requested, on two occasions. If Floyd J. Stumpf is called as a witness by the State in excess of two occasions, the State agrees to reimburse him for airfare to Philadelphia.


15. Floyd J. Stumpf irrevocably consents to the appointment of the Securities Commissioner of the State of Delaware, or his successor in office, to be his attorney to receive service of any process or notice of any proceeding relating to this order or any proceeding in which his testimony is requested by the State of Delaware. Service upon the Securities Commissioner shall have the same force and validity as if served personally on Floyd J. Stumpf. The State agrees to also send a copy of any service by registered mail to: Floyd J. Stumpf,


; and Harry Winderman, Esquire,

from any and all causes of action that it now has or may have in the future, including but not limited to, any actions for libel, slander, violation of a constitutionally protected right, tortious interference with an advantageous contractual relationship, and the like arising out of this administrative action. The State of Delaware accepts this release without acknowledging that any such cause of action exists.

20. This agreement is contingent upon the approval of the Securities Commissioner of the State of Delaware as to form and substance.

IN WITNESS THEREOF, the parties have signed this Stipulation and Consent Order effective on the last date executed below.

By:  Date: July 14, 1989
Harry Winderman, Esquire
Attorney for Floyd Stumpf

By:  Date: 7/14/89
Gregg E. Wilson
Deputy Attorney General

SO ORDERED, this 14th day of July, 1989.


Richard W. Hubbard
Securities Commissioner