

1 Corporation is Carter. 808 Renewable Energy Corporation has exclusive management and control
2 over 808 Energy 3, LLC.

3 6. Beginning at least as early as 2005, Carter and 808 offered and sold securities in the form
4 of units of Class A membership interests and/or shares in 808.

5 7. The purported purpose of the offerings is to invest in green energy service opportunities.
6 808 claims to raise funds for the purchase of the Pacific Clay energy plant. According to 808, Pacific
7 Clay energy plant is “currently online and providing electricity for Pacific Clay, Inc.”

8 8. According to 808, it strives to help “America in its quest for renewable and green energy,
9 to help reduce dependence on foreign oil.” 808 claims that it is “committed to acquire or build 100
10 new green energy power plants, focusing on co-generation and solar technologies.”

11 9. 808 was also formed for the purpose of acquiring, re-commissioning and operating
12 distributed generation energy facilities, also known as combined heat and power plants.

13 10. The units of Class A membership interests and/or shares in 808 are securities pursuant to
14 California Corporations Code section 25019.

15 11. These securities were offered and sold in this state in issuer transactions. The Department
16 of Corporations has not issued a permit or other form of qualification authorizing any person to offer
17 or sell these securities in this state.

18 12. In connection with the offer and sale of these securities, 808 and Carter omitted to
19 disclose that in April 2009, the Texas State Securities Board issued an Emergency Cease and Desist
20 Order against 808 Investments, LLC, 808 Energy, LLC, and Patrick S. Carter.

21 13. On December 3, 2009, the Texas State Securities Board issued an Agreed Cease and
22 Desist Order ordering 808 Investments, LLC, 808 Energy, LLC, 808 Energy 2, LLC, and Patrick S.
23 Carter to cease and desist from offering for sale any security in Texas until the security is registered,
24 to cease and desist from offering securities in Texas through an offer containing a statement that is
25 materially misleading or otherwise likely to deceive, from acting as securities dealers and agents in
26 Texas until registered with the Securities Commissioner of Texas, and to pay a fine.

27 Based upon the foregoing findings, the California Corporations Commissioner is of the
28 opinion that the units of Class A membership interests and/or shares in 808 are securities subject to

1 qualification under the California Corporate Securities Law of 1968 and are being or have been
2 offered or sold without being qualified in violation of Corporations Code section 25110.

3 Pursuant to Section 25532 of the California Corporations Code, 808 Investments, LLC, 808
4 Energy, LLC, 808 Energy 2, LLC, 808 Energy 3, LLC, and Patrick Sean Carter are hereby ordered to
5 desist and refrain from the offer or sale of securities in the State of California, including, but not
6 limited to units of Class A membership interests and/or shares in 808, unless and until qualification
7 has been made under said law or unless exempt.

8 Further, based upon the foregoing, the California Corporations Commissioner is of the
9 opinion that the units of Class A membership interests and/or shares in 808 were offered and sold in
10 this state by means of oral and written communications which omitted to state material facts
11 necessary in order to make the statements made, in the light of the circumstances under which they
12 were made, not misleading, in violation of section 25401 of the Corporate Securities Law of 1968.

13 Pursuant to section 25532 of the Corporate Securities Law of 1968, 808 Investments, LLC,
14 808 Energy, LLC, 808 Energy 2, LLC, 808 Energy 3, LLC, and Patrick Sean Carter are hereby
15 ordered to desist and refrain from offering or selling or buying or offering to buy any securities in the
16 State of California, including, but not limited to units of Class A membership interests and/or shares
17 in 808, by means of any written or oral communication which includes an untrue statement of a
18 material fact or omits to state a material fact necessary in order to make the statements made, in the
19 light of the circumstances under which they were made, not misleading.

20 This Order is necessary, in the public interest, for the protection of investors and consistent
21 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

22
23 Dated: January 19, 2010
24 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

25
26 By _____
27 ALAN S. WEINGER
28 Deputy Commissioner
Enforcement Division