

U.S. SECURITIES EXCHANGE ACT OF 1934
Release No. 52247 / August 12, 2005

ADMINISTRATIVE PROCEEDING
File No. 3-12009

SEC INSTITUTES ADMINISTRATIVE PROCEEDINGS TO DETERMINE
WHETHER ECK SHOULD BE BARRED FROM OFFERING PENNY STOCKS

The United States Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings Pursuant to Section 15(b)(6) of the Securities Exchange Act of 1934, and Notice of Hearing (Notice of Hearing) to determine whether F. Thomas Eck, III should be barred from offering penny stocks.

The Division of Enforcement alleges that Eck willfully violated Sections 5(a) and 5(c) of the Securities Act of 1933, and willfully violated or aided and abetted another person's violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. The Division of Enforcement further alleges that in July 2004 a criminal judgment was entered against Eck, who was formerly an attorney licensed to practice law in California and Nevada, finding him guilty of two felony counts of securities fraud and aiding and abetting in the action filed in the Northern District of California, United States v. F. Thomas Eck, III, Case No. CR-01-0325 VRW (the criminal case). The Division of Enforcement further alleges that in a civil injunctive action against Eck and others brought by the Commission in the Northern District of California, SEC v. M&A West, Inc., et al., No. C-01-03376 VRW, Eck was found in April 2005 to have violated or aided and abetted violations of the Securities Act of 1933 and the Securities Exchange Act of 1934, and an injunction was entered against him.

A hearing will be scheduled before an administrative law judge to determine whether the allegations contained in the Notice of Hearing are true, to provide Eck an opportunity to dispute these allegations, and to determine whether it is appropriate and in the public interest to bar Eck from participating in any offering of penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock; or inducing or attempting to induce the purchase or sale of any penny stock.

The Notice of Hearing further orders that an Administrative Law Judge shall issue an initial decision no later than 210 days from the date of service of the Notice of Hearing, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.