

**UNITED STATES OF AMERICA**  
before the  
**SECURITIES AND EXCHANGE COMMISSION**  
May 11, 2007

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-12634**

**In the Matter of**

**DONALD J. LAKIN,**

**Respondent.**

**ORDER INSTITUTING ADMINISTRATIVE  
AND CEASE-AND-DESIST PROCEEDINGS  
PURSUANT TO SECTION 8A OF THE  
SECURITIES ACT OF 1933 AND SECTIONS  
15(b) AND 21C OF THE SECURITIES  
EXCHANGE ACT OF 1934**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative and cease-and-desist proceedings be, and hereby are, instituted pursuant to Section 8A of the Securities Act of 1933 (“Securities Act”) and Sections 15(b) and 21C of the Securities Exchange Act of 1934 (“Exchange Act”) against Donald J. Lakin (“Lakin” or “Respondent”).

**II.**

After an investigation, the Division of Enforcement alleges that:

**A. RESPONDENT**

Donald J. Lakin, age 39, resides in Anaheim, California.

**B. FACTS**

1. From at least May 2002 through April 2003, Lakin offered and sold securities issued by Sunrise Energy, Inc. (“Sunrise”) to approximately twenty to thirty investors.

2. Lakin cold called hundreds of prospective investors off of commercial “lead lists” and offered them Sunrise securities using high pressure sales tactics. After Lakin spoke with investors, they received written materials detailing the investments. Lakin sold Sunrise securities out of his own office and employed people through his company, Pacific Resources Group, Inc., who sold Sunrise securities on his behalf.

3. Lakin made material misrepresentations to investors regarding the rates of return that investors would receive. For example, Lakin told investors during his telephone solicitations that they could expect to receive the returns projected in the Sunrise offering materials which ranged from 55% to 106% per year. However, Sunrise investors never received the promised returns and most Sunrise investors ultimately lost more than 95% of the principal they invested.

4. Lakin also misrepresented the risk involved in the Sunrise securities. Lakin told investors that their investments involved low risk and were secure. However, these representations were false as the investments were highly speculative.

5. Lakin did not take any steps to verify the accuracy of the claims he made to investors regarding the low risk, high return nature of the securities he was selling. Moreover, Lakin continued to make representations regarding the low risk, high return nature of the Sunrise investments even after he learned that investors were receiving minimal payments that were a small fraction of the returns that he told investors to expect.

6. Lakin received commissions from Sunrise of 40% to 50% of the amounts invested and did not disclose those commissions to investors. From May 2002 to April 2003, Lakin and Pacific Resources Group, Inc., received at least \$374,000 in ill-gotten gains from Sunrise bank accounts holding investor funds. Lakin's failure to disclose the exorbitant commissions he received represents a material misstatement or omission.

7. Lakin acted at least recklessly in connection with his misrepresentations and omissions to investors relating to anticipated returns, risk involved, and commissions paid.

8. No registration statement was filed with the Commission or was in effect as to the transactions in Sunrise securities. Moreover, the securities issued by Sunrise were not exempt from registration.

9. Lakin was not a registered broker-dealer nor was he associated with a registered broker-dealer while he sold the Sunrise securities. Moreover, Lakin received transaction-based compensation in connection with his sales of Sunrise securities.

10. As a result of the conduct described above, Lakin willfully violated Sections 5(a), 5(c), and 17(a) of the Securities Act and Sections 10(b) and 15(a) of the Exchange Act and Rule 10b-5 thereunder.

### **III.**

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate in the public interest that public administrative and cease-and-desist proceedings be instituted to determine:

A. Whether the allegations set forth in Section II are true and, in connection therewith, to afford Respondent an opportunity to establish any defenses to such allegations;

B. What, if any, remedial action is appropriate in the public interest against Respondent pursuant to Section 15(b) of the Exchange Act including, but not limited to, an accounting, disgorgement, prejudgment interest, and civil penalties pursuant to Section 21B of the Exchange Act;<sup>1</sup>

C. Whether, pursuant to Section 8A of the Securities Act and Section 21C of the Exchange Act, Respondent should be ordered to cease and desist from committing or causing violations of and any future violations of Sections 5(a), 5(c) and 17(a) of the Securities Act and Sections 10(b) and 15(a) of the Exchange Act and Rule 10b-5 thereunder and whether Respondent should be ordered to make an accounting and pay disgorgement and prejudgment interest pursuant to Section 8A(e) of the Securities Act and Section 21C(e) of the Exchange Act.

#### IV.

IT IS ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened not earlier than 30 days and not later than 60 days from service of this Order at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice, 17 C.F.R. § 201.110.

IT IS FURTHER ORDERED that Respondent shall file an Answer to the allegations contained in this Order within twenty (20) days after service of this Order, as provided by Rule 220 of the Commission's Rules of Practice, 17 C.F.R. § 201.220.

If Respondent fails to file the directed answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceedings may be determined against him upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f) and 310 of the Commission's Rules of Practice, 17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f) and 201.310.

This Order shall be served forthwith upon Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 300 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.

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<sup>1</sup> Section 21B of the Exchange Act establishes three tiers of civil penalties the Commission may impose in administrative proceedings and each tier prescribes the maximum penalty for each violative act or omission. Under this provision, the Commission may assess a third tier penalty of up to \$120,000 for each violative act or omission by a natural person.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not “rule making” within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Nancy M. Morris  
Secretary