

**BEFORE THE SECURITIES COMMISSIONER
OF THE STATE OF KANSAS**

In the Matter of:

Investments New Horizons
Vidal A. Zuniga,
Juan Vargas,
Zulma Aguirre-Ortiz,
Cecilia Mendoza-Castro,

Docket Number 12 E 003
KSC No. 2011-5899

Respondents.

_____/
Pursuant to K.S.A. 17-12a604

CEASE AND DESIST ORDER

The above-entitled matter comes for consideration by the Securities Commissioner of Kansas. Pursuant to K.S.A. 17-12a602, staff for the Office of the Securities Commissioner has conducted an investigation to determine whether the Respondents have violated the Kansas Uniform Securities Act, K.S.A. 17-12a101, *et seq.* Having been apprised of the facts revealed in that investigation, the Commissioner finds as follows:

I. Findings of Fact

1. Respondent Investments New Horizons is a business of unknown legal design which held itself out as a company that offered investments. Its last known address is 603 S. 2nd Ave., Dodge City, KS 67801.
2. Respondent Investments New Horizons had a second business location located at 1115-C Kansas Place, Garden City, KS 67846.
3. Respondent Vidal A. Zuniga is the Executive Officer and Vice-President of Respondent Investments New Horizons. His last known address is [REDACTED].

4. Respondent Juan Vargas is the President of Respondent Investments New Horizons. His last known address is [REDACTED].
5. Respondent Zulma Aguirre-Ortiz is the Treasurer of Respondent Investments New Horizons. Her last known address is [REDACTED].
6. Respondent Cecilia Mendoza-Castro is an Executive Financial Assistant of Respondent Investments New Horizons. Her last known address is [REDACTED].
7. Respondent Investments New Horizons presented investment agreements to known Kansas investors in which it promised a 10% return every month for two years, plus a return of the original investment after the two year period of time.
8. Respondent Investments New Horizons presented some of these investors with the option of receiving a vehicle purchased at local dealerships as payment in lieu of the monthly interest payments.
9. Respondents Zuniga, Vargas, Aguirre-Ortiz, and Mendoza-Castro, all entered into the above-detailed agreements with investors on behalf of Respondent Investments New Horizons from a period of approximately February 2011 to June 2011.
10. Examination of records kept by the Office of the Kansas Securities Commissioner show that Respondents Investments New Horizons, Zuniga, Vargas, Aguirre-Ortiz, and Mendoza-Castro are not registered to offer for sale or sell securities as either broker-dealers or agents under the Kansas Uniform Securities Act.
11. Examination of records kept by the Office of the Kansas Securities Commissioner show that the securities being offered by Respondents Investments New Horizons, Zuniga, Vargas,

Aguirre-Ortiz, and Mendoza-Castro are not registered under the Kansas Uniform Securities Act.

12. On July 20, 2011, Respondent Zuniga was verbally informed by staff of the Office of the Kansas Securities Commissioner that the offer for sale or sale of securities by Investments New Horizons was illegal because neither Respondents, nor their securities were registered in the State of Kansas and that, therefore, Investment New Horizons needed to cease offering its investments.

II. Conclusions of Law

13. The agreements offered for sale or sold by Respondents to Kansas Investors is a security as defined by K.S.A. 17-12a102(28).

14. In violation of K.S.A. 17-12a-301, Respondents Investments New Horizons, Vidal A. Zuniga, Juan Vargas, Zulma Aguirre-Ortiz, and Cecilia Mendoza-Castro offered for sale or sold securities in the State of Kansas that was not registered under the Kansas Uniform Securities Act.

15. In violation of K.S.A. 17-12a402, Respondents Vidal A. Zuniga, Juan Vargas, Zulma Aguirre-Ortiz, and Cecilia Mendoza-Castro acted as agents while not registered under the Kansas Uniform Securities Act.

16. In violation of K.S.A. 17-12a402(d), Respondent Investments New Horizons employed or associated with an agent who transacted business in the State of Kansas on behalf of Investments New Horizons while the agent was not registered under the Kansas Uniform Securities Act.

III. Cease and Desist Order

The Commissioner finds that action is appropriate under K.S.A. 17-12a604(a) because sufficient evidence exists to conclude that the Respondents have engaged in, are engaging in, or are about to engage in acts or practices constituting violations of the Kansas Uniform Securities Act, or have materially aided, are materially aiding, or are about to materially aid such violations.

IT IS, THEREFORE, ORDERED by the Commissioner that the Respondents and their officers, agents, servants, employees, and any person in concert or participation with them who receives actual notice of this order, shall immediately CEASE and DESIST in the State of Kansas from soliciting offers to buy or making offers to sell, or effecting or transacting sales of securities, or the securities of any other person or issuer, or directly or indirectly aiding and assisting in the same or attempting to do the same, (1) unless and until such securities have been registered for offer and sale pursuant to the provisions of the Kansas Uniform Securities Act, or unless and until such securities are specifically exempt from the registration requirements of the Kansas Uniform Securities Act; and (2) unless and until the Respondents and all other affiliates, employees or contractors of the Respondents who are to be engaged in such solicitations, offers, and sales first become registered as broker-dealers or agents pursuant to the provisions of the Kansas Uniform Securities Act, or unless and until such persons are specifically exempt from such registration requirements of the Kansas Uniform Securities Act; and (3) unless and until the Respondents refrain from all acts and practices which constitute violations or are about to constitute violations of the Kansas Uniform Securities Act.

IV. Opportunity for Hearing

If the Respondents wish to contest the issuance of this order, then the Respondents must file a request for hearing. The request for hearing must be in the manner and form prescribed by K.A.R. 81-11-5, and it must be filed with the Office of the Securities Commissioner, 109 SW 9th Street, Suite 600, Topeka, Kansas 66612. The request for hearing must be verified under oath by the Respondents, and if the Respondents dispute any of the Findings of Fact or Conclusions of Law set forth above, the Respondents shall specifically deny them or they will be deemed admitted. In addition, the Respondents may offer evidence and argument to mitigate the allegations. If the allegations are properly disputed, the matter will be set for a hearing which shall be conducted in accordance with the provisions of the Kansas Administrative Procedures Act. If no request for hearing is filed within 33 days after the date of mailing shown on the Certificate of Service for this order, the order will become final without further proceedings.

The Office of the Securities Commissioner shall be represented in this matter by Wiley B. Kannarr, Director, Legal Services, 109 SW 9th Street, Suite 600, Topeka, Kansas 66612, telephone (785) 296-5215.

IT IS SO ORDERED this 3rd day of August, 2011.

/s/ Aaron Jack
Aaron Jack
Securities Commissioner

NOTICE:

(1) Pursuant to K.S.A. 17-12a508(a), any intentional violation of an order issued under the Kansas Uniform Securities Act is a felony criminal offense.

(2) This decision may constitute final agency action that is subject to judicial review. The agency officer to receive service of a petition for judicial review on behalf of the Office of the Kansas Securities Commissioner is Aaron Jack, Securities Commissioner, at 109 SW 9th Street, Suite 600, Topeka, Kansas 66612.

Certificate of Service

I hereby certify that on this 4th day of August, 2011, copies of the above Cease and Desist Order were sent by certified mail, return receipt requested, addressed to the following:

Investments New Horizons
603 S. 2nd Ave.
Dodge City, KS 67801

Investments New Horizons
1115-C Kansas Place
Garden City, KS 67846

Vidal A Zuniga

[REDACTED]

Juan Vargas

[REDACTED]

Zulma Aguirre-Ortiz

[REDACTED]

Cecilia Mendoza-Castro

[REDACTED]

/s/ Michelle Lancaster _____
Michelle Lancaster
Legal Assistant