



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2011 FEB 10 A 10:04

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

In the matter of
FIVE STAR CAPITAL MARKETS, LLC, a
Nevada limited liability company,
JAMES PICCOLO and MARY
ELIZABETH PICCOLO, husband and wife,
CRAIG COTTRELL, CRD# 4552833, and
ANDREA COTTRELL, husband and wife,
CHARLEVOIX HOMES, LLC, an Arizona
limited liability company,
and
MICHAEL ROBERTS, an unmarried man,
Respondents.

DOCKET NO. S-20755A-10-0342

STIPULATION TO SUBSTITUTE PAGES IN
PROPOSED CONSENTS

Arizona Corporation Commission
DOCKETED

FEB 10 2011

DOCKETED BY [Signature]

The Securities Division ("Division") and Jeffrey Matura, Graif Barrett & Matura, P.C.,
attorneys for Respondents Five Star Capital Markets, LLC, James Piccolo, Mary Elizabeth
Piccolo, Craig Cottrell and Andrea Cottrell, stipulate to exchanging the attached page 4 (See
Exhibit A) of the Proposed Consent for Respondents Five Star Capital Markets, LLC, James
Piccolo and Mary Elizabeth Piccolo in place of page 4 of the filed Proposed Consent.

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1 In addition, the Division and Mr. Matura stipulate to exchanging the attached page 3 (See
2 Exhibit B) in the Proposed Consent for Craig Cottrell and Andrea Cottrell in place of page 3 of
3 the filed Proposed Consent.

4 Respectfully submitted this 10th day of February 2011.

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6 By: 
Wendy Coy
7 Senior Counsel for the Securities Division of
the Arizona Corporation Commission

8
9 By: /s/ Jeffrey C. Matura
Jeffrey C. Matura
10 Graif Barrett & Matura, P.C.
11 Attorneys for Respondents Five Star Capital
12 Markets, LLC, James and Mary Elizabeth
13 Piccolo and Craig and Andrea Cottrell
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SERVICE LIST FOR: Five Star Capital Markets, LLC, James Piccolo, Mary Elizabeth Piccolo, Craig Cottrell, Andrea Cottrell, Charlevoix Homes, LLC and Michael Roberts

NAME & ADDRESS

Docket Control
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Phoenix, AZ 85007

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Craig Cottrell and Andrea Cottrell

Michael Roberts
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Karen Howe

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EXHIBIT A

EXHIBIT B

1 7. The October 1, 2005, email also included a link to a power point presentation that
2 further explained the Charlevoix Notes.

3 8. Furthermore, the October 1, 2005 email requested that people interested in making
4 the investment in the Charlevoix Notes should “make [their] payments out to ‘Charlevoix Homes’
5 and mail or deliver (remember this is first come/first serve) them to [COTTRELL] . . .” at the Five
6 Star Scottsdale, Arizona, address. In the October 1, 2005 email, COTTRELL represented that once
7 the payment was received, the investor would receive an agreement from Charlevoix.

8 9. On October 11, 2005, COTTRELL sent another email to prospective investors and
9 provided another internet link for a “presentation that explains this exciting opportunity in detail
10 including financials.” The email also provided a website link to obtain a copy of a Charlevoix
11 Notes.

12 10. Once the Nouveau Riche students sent their funds to FIVE STAR and COTTRELL,
13 COTTRELL would notify CHARLEVOIX. CHARLEVOIX would then mail the Charlevoix Notes
14 to investors. The term of the Charlevoix Notes included eighteen percent (18%) per annum. The
15 Charlevoix Notes were signed by MICHAEL ROBERTS on behalf of CHARLEVOIX.

16 11. COTTRELL believed and told the investors that the Charlevoix Notes were to be
17 secured either by a “2nd Deed of Trust held on behalf of all investors by Five Star Capital Markets”
18 or by a “lien on lots.” No second deed of trust or lien for the benefit of the investors, either
19 individually or for the benefit of FIVE STAR, was ever recorded.

20 12. The Charlevoix Notes offering documents provided to investors by COTTRELL
21 stated that the investment was guaranteed by a “Charlevoix Home Corporate guarantee.” However,
22 there was no Charlevoix guarantee.

23 13. From October 2005 through November 2006, Charlevoix Notes were sold to 105
24 investors who invested \$5,616,226.59. In October 2007, COTTRELL and Respondent Spouse
25 purchased a Charlevoix Note from another investor for \$39,000.

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