

**ORIGINAL NEW APPLICATION**



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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS 2013 SEP -6 A 11: 32

DOCKETED

SEP - 6 2013

BOB STUMP, Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH

CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY	
	llc

In the matter of:

RIDE HARD AND PRAY, LLC, and

ROBERT J. DUDEK, a/k/a "BOBBY D" and  
"BOBBY DUDEK," and RENITA G.  
DUDEK, husband and wife,

Respondents.

DOCKET NO. S-20891A-13-0302

**TEMPORARY ORDER TO CEASE AND  
DESIST AND NOTICE OF  
OPPORTUNITY FOR HEARING**

**NOTICE: THIS ORDER IS EFFECTIVE IMMEDIATELY**

**RESPONDENT HAS 20 DAYS TO REQUEST A HEARING**

**RESPONDENT HAS 30 DAYS TO FILE AN ANSWER**

The Securities Division ("Division") of the Arizona Corporation Commission ("Commission") alleges that respondents Ride Hard and Pray, LLC and Robert J. Dudek, also known as "Bobby D" and "Bobby Dudek," are engaging in or are about to engage in acts and practices that constitute violations of A.R.S. § 44-1801, *et seq.*, the Arizona Securities Act ("Securities Act"), and that the public welfare requires immediate action.

**I.**

**Jurisdiction**

1. The Commission has jurisdiction over this matter pursuant to Article XV of the Arizona Constitution and the Securities Act.

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**II.**

**Respondents**

2. Respondent Ride Hard and Pray, LLC (“Ride Hard”) is an Arizona limited liability company organized on December 1, 2011, and doing business in Maricopa County, Arizona.

3. Respondent Robert J. Dudek (“Dudek”) is a manager of Ride Hard and a resident of Arizona.

4. Ride Hard and Dudek are collectively referred to below as “Respondents.”

5. Respondent Renita G. Dudek (“Respondent Spouse”) has been at all relevant times the spouse of Robert J. Dudek. Respondent Spouse is joined in this action under A.R.S. § 44-2031(C) solely for purposes of determining the liability of the marital community.

6. At all relevant times, Dudek has been acting for his own benefit and for the benefit or in furtherance of the marital community.

**III.**

**Facts**

7. Ride Hard is a manager-managed limited liability company.

8. Dudek is an Arizona resident and one of Ride Hard’s managers.

9. Ride Hard maintains a website at [www.RideHardandPray.com](http://www.RideHardandPray.com). Ride Hard plans to offer through its website a “referral site for recreational motorsport related products and services.” Through the website, under the title “BECOME PART OF RIDEHARDANDPRAY.COM,” Ride Hard advertises to its readers an opportunity to invest in the company through its Private Placement Memorandum, stating in pertinent part:

It’s been a fantastic ride since we launched RideHardandPray.com. We’ve made many contacts, secured many merchants, and watched our membership grow steadily each month. That said, we are ready to take our website and company to the next level. In order to do that, we’ve just issued a Private Placement Memorandum (PPM), [sic] to help us raise the resources we need to achieve that next level. You can now join us in this journey by becoming part of the company through our PPM. We want to thank everyone that helped us get to

1 where we are, [sic] and are excited we can now offer you the  
2 opportunity to join us in our goal to become the number one site in  
the country for recreation and motorsports.

3 As the saying goes, you can now, "Own a piece of the action!"

4 ("Website Advertisement").

5 10. On August 8, 2013, an advertisement regarding investment in Ride Hard was posted  
6 under the "services" category described as "financial" on phoenix.craigslist.org. The Craigslist  
7 advertisement was updated on August 29, 2013. This advertisement is entitled "Launching PPM",  
8 is nearly identical to the Website Advertisement, and states as follows:

9 Become Part of RideHardandPray.com.

10 It's been a fantastic ride since we launched RideHardandPray.com.  
11 We've made many contacts, secured many merchants, and watched  
12 our membership grow steadily each month. That said, we are ready  
13 to take our website and company to the next level. In order to do that,  
14 we've just issued a Private Placement Memorandum (PPM), [sic] to  
15 help us raise the resources we need to achieve that next level. You  
can now join us in this journey by becoming part of the company  
through our PPM. We want to thank everyone that helped us get to  
where we are, [sic] and are excited we can now offer you the  
opportunity to join us in our goal to become the number one site in  
the country for recreation and motorsports.

16 As the saying goes, you can now, "Own a piece of the action!"

17 Feel free to contact us through our (contact form) or contact Bobby  
18 directly at: [REDACTED TELEPHONE NUMBER].

19 \*\*\*



26 ("Craigslist Advertisement").

1           11.    On August 13, 2013, in response to the Craigslist Advertisement, an Arizona  
2 resident sent an email requesting additional information to an address provided in the  
3 advertisement.

4           12.    Also on August 13, 2013, the Arizona resident received a reply to her email, stating:

5                    Thank you for your interest in our company, we feel that we have  
6 something very special here. please [sic] feel free to contact me at  
7 my office number below.

8                    This is the paperwork on our private placement offering for Ride  
9 Hard and Pray LLC. An investor can participate starting at \$5000 -  
\$400,000.

10                   --

11                   Bobby D  
12 [REDACTED TELEPHONE NUMBER]  
13 Director of Business Development



14 Attached to Bobby D's reply was a "CONFIDENTIAL PRIVATE PLACEMENT  
15 MEMORANDUM" for Ride Hard, dated March 20, 2013 ("PPM").

16           13.    Later on August 13, 2013, the Arizona resident received a second email from Bobby  
17 D, who provided another copy of the PPM and requested, "Please let me know that you received  
18 this e-mail."

19           14.    In addition to other follow-up emails received by the Arizona resident regarding  
20 investment in Ride Hard, on September 4, 2013, the Arizona resident received an email from  
21 Bobby D, which reads in pertinent part:

22                    Good morning. A couple of weeks ago we received a response from  
23 you from an ad that we posted for an investor. I sent you a copy of  
24 our PPM and would like to speak with you about investing in our  
amazing program. Please feel free to call my office direct.

25           15.    The PPM identifies "Bobby Dudek" as one of Ride Hard's founders.

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1           16.     “Bobby D” and “Bobby Dudek” are believed to be nicknames for respondent  
2 Robert J. Dudek.

3           17.     The PPM advertises that Ride Hard, through its website at  
4 www.RideHardandPray.com, “provides motorsport customers with a central location to network  
5 with others and provides referrals to trusted merchants.” It goes on to claim that the website  
6 provides merchants a “vehicle to interact with potential customers and to market to those  
7 customers” and provides website viewers and paid members the “benefit” of “knowing that each  
8 listed merchant has been thoroughly vetted and must meet strict guidelines before they can be  
9 listed.”

10          18.     The managers control Ride Hard, including the use of monies raised through the  
11 offering. Pursuant to the PPM:

12                   The Company reserves the right to use the funds obtained from this  
13                   Offering for other similar purposes not presently contemplated which  
14                   it deems to be in the best interests of the Company and its  
15                   Membershipholders in order to address changed circumstances or  
16                   opportunities. As a result of the foregoing, the success of the  
17                   Company will be substantially dependent upon the discretion and  
18                   judgment of Management with respect to application and allocation  
19                   of the net proceeds of this Offering. Investors for the Memberships  
20                   offered hereby will be entrusting their funds to the Company’s  
21                   Management, upon whose judgment and discretion the investors  
22                   must depend.

19          19.     The PPM explains that Ride Hard intends to generate revenue through membership  
20 fees paid by merchants and consumers, paid classified advertisements, merchant services,  
21 insurance services, and financial services.

22          20.     To help fund the start-up of its business, Ride Hard offers for sale through the PPM  
23 “[m]embership units representing 20% company equity in the form of a LLC membership units.”

24          21.     The PPM describes Ride Hard’s membership units as “securities,” admits the  
25 memberships are not registered under the Securities Act, but claims the memberships are exempt  
26 from registration pursuant to “A.R.S. SECTION 44-1844 (1)” [sic].



1 **VI.**

2 **Temporary Order**

3 **(Cease and Desist from Violating the Securities Act)**

4 THEREFORE, based on the above allegations, and because the Commission has determined  
5 that the public welfare requires immediate action,

6 IT IS ORDERED, pursuant to A.R.S. § 44-1972(C) and A.A.C. R14-4-307, that  
7 Respondents, Respondents' agents, servants, employees, successors, assigns, and those persons in  
8 active concert or participation with Respondents CEASE AND DESIST from any violations of the  
9 Securities Act.

10 IT IS FURTHER ORDERED that this Temporary Order to Cease and Desist shall remain in  
11 effect for 180 days unless sooner vacated, modified, or made permanent by the Commission.

12 IT IS FURTHER ORDERED that this Order shall be effective immediately.

13 **VII.**

14 **Relief Requested**

15 The Division requests that the Commission grant the following relief:

- 16 1. Order Respondents to permanently cease and desist from violating the Securities  
17 Act, pursuant to A.R.S. §§ 44-2032, 44-1961, and 44-1962;
- 18 2. Order Respondents to take affirmative action to correct the conditions resulting from  
19 their acts, practices, or transactions, including a requirement to make restitution  
20 pursuant to A.R.S. §§ 44-2032, 44-1961, and 44-1962;
- 21 3. Order Respondents, jointly and individually, to pay the state of Arizona  
22 administrative penalties of up to five thousand dollars (\$5,000) for each violation of  
23 the Securities Act, pursuant to A.R.S. § 44-2036;
- 24 4. Order that the marital community of Dudek and Respondent Spouse is subject to any  
25 order of restitution, rescission, administrative penalties, or other appropriate  
26 affirmative action pursuant to A.R.S. § 25-215; and



**IX.**

**ANSWER REQUIREMENT**

Pursuant to A.A.C. R14-4-305, if a Respondent or Respondent Spouse requests a hearing, the requesting respondent must deliver or mail an Answer to this Temporary Order and Notice to Docket Control, Arizona Corporation Commission, 1200 W. Washington, Phoenix, Arizona 85007, within 30 calendar days after the date of service of this Temporary Order and Notice. Filing instructions may be obtained from Docket Control by calling (602) 542-3477 or on the Commission's Internet web site at [www.azcc.gov/divisions/hearings/docket.asp](http://www.azcc.gov/divisions/hearings/docket.asp).

Additionally, the answering respondent must serve the Answer upon the Division. Pursuant to A.A.C. R14-4-303, service upon the Division may be made by mailing or by hand-delivering a copy of the Answer to the Division at 1300 West Washington, 3<sup>rd</sup> Floor, Phoenix, Arizona, 85007, addressed to Stephen J. Womack.

The Answer shall contain an admission or denial of each allegation in this Temporary Order and Notice and the original signature of the answering respondent or the answering respondent's attorney. A statement of a lack of sufficient knowledge or information shall be considered a denial of an allegation. An allegation not denied shall be considered admitted.

When the answering respondent intends in good faith to deny only a part or a qualification of an allegation, the respondent shall specify that part or qualification of the allegation and shall admit the remainder. Respondents waive any affirmative defense not raised in the Answer.

The officer presiding over the hearing may grant relief from the requirement to file an Answer for good cause shown.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION, this 6th day of September, 2013.



Mark Dinell  
Assistant Director of Securities