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KANSAS SECURITIES

BEFORE THE ARKANSAS SECURITIES COMMISSIONER
CASE NO. S-12-0069

IN THE MATTER OF: **Order No. S-12-0069-12-OR01**

Servergy, Inc. **RESPONDENT**

CONSENT ORDER

This Consent Order is entered pursuant to the Arkansas Securities Act, codified at Ark. Code Ann. §§ 23-42-101 through 23-42-509 ("Act"), the Rules of the Arkansas Securities Commissioner ("Rules") promulgated under the Act and the Arkansas Administrative Procedures Act, codified at Ark. Code Ann. §§ 25-15-201 through 25-15-219 in accordance with an agreement by and between the Staff of the Arkansas Securities Department ("Staff") and Servergy, Inc. in full and final settlement of all claims that could be brought against Servergy, Inc. by the Staff on the basis of the facts set forth herein.

Servergy, Inc. admits the jurisdiction of the Act and the Arkansas Securities Commissioner ("Commissioner"), waives its right to a formal hearing, consents to the entry of this order, and agrees to abide by its terms. Servergy, Inc. also agrees that entry of this order has no impact on its potential civil liability to Arkansas investors under Ark. Code Ann. § 23-42-106 for the violations detailed below.

FINDINGS OF FACT

1. On or about December 3, 2009, agents or employees of Servergy, Inc. made its first sale of securities in a Servergy, Inc. offering to an Arkansas resident.

2. On or about November 28, 2011, Servergy, Inc. filed a Notice of Sale of Securities on United States Securities and Exchange Commission ("SEC") Form D with the Arkansas Securities Department ("Department").

3. In violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2) of the Rules of the Arkansas Securities Commissioner, Servergy, Inc. failed to file the Notice of Sale of Securities on SEC Form D with the Department concerning the sale of securities in Arkansas within the required fifteen days.

CONCLUSIONS OF LAW

4. Servergy, Inc.'s filing of the Notice of Sale of Securities on SEC Form D with the Department approximately two years after the sale of securities in the Servergy, Inc. offering to an Arkansas resident as detailed in paragraphs 1-3 was a violation of Ark. Code Ann. § 23-42-509(c)(1) and Rule 509.01(b)(2) of the Rules.

5. Entry of this Order does not affect the potential civil liability of Servergy, Inc. under Ark. Code Ann. § 23-42-106 for Arkansas investors in the Servergy, Inc. offerings.

ORDER

IT IS THEREFORE ORDERED that Servergy, Inc. pay a fine in the amount of $1,000.00.

A. Heath Abshure
Arkansas Securities Commissioner

April 27, 2012
Date

Kaycee Wolf
Staff Attorney

Servergy, Inc.

By: Michael Holder
Title: CFO
Date: April 20, 2012