

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: Anthony Sciuto
Brett Sciuto
Frank Johnson
Andre Rivas
Neo Medical Medical Investments, LLC
American Hyperbaric Oxygen Therapy Clinics, L.P.
5000 Birch Street, Suite 3000
Newport Beach, CA 92660
and
6 Venture
Irvine, California 92618

DESIST AND REFRAIN ORDER
(For violations of sections 25110 and 25401 of the Corporations Code)

The California Corporations Commissioner finds that:

1. At all relevant times herein, American Hyperbaric Oxygen Therapy Clinics, L.P. (“American Hyperbaric”), a Nevada limited partnership formed in August 2004 was located at 6 Venture, Irvine, CA 92618 and/or 5000 Birch Street, Suite 3000, Newport Beach, CA 92660. Neo Medical Medical Investments, LLC, (“NEO MEDICAL”) a California limited liability company was at all relevant times the general partner of AMERICAN HYPERBARIC and located at 6 Venture, Irvine, CA 92618 and/or 5000 Birch Street, Suite 3000, Newport Beach, CA 92660.
2. Anthony Sciuto at all relevant times was the manager of NEO MEDICAL. Brett Sciuto was the manager of AMERICAN HYPERBARIC.
3. Frank Johnson was at all relevant times an agent of AMERICAN HYPERBARIC, soliciting investors through unsolicited telephone calls.
4. Andre Rivas was at all relevant times an agent of AMERICAN HYPERBARIC, soliciting investors through unsolicited telephone calls.
5. Beginning in September 2004 and continuing until September 2005,

1 AMERICAN HYPERBARIC, NEO MEDICAL, Anthony Sciuto, Brett Sciuto, Frank Johnson and
2 Andre Rivas offered investments to approximately 40 investors in excess of \$650,000 by promising
3 high and quick returns.

4 6. In AMERICAN HYPERBARIC's Private Placement Memorandum, dated July 26,
5 2004, \$2.4 million of limited partnership interests were offered at a price of \$7,500 per unit with a
6 minimum subscription for individual accredited investors being 2 units for a total cost of \$15,000.
7 The proceeds from the offering were to be used to develop, own and operate AMERICAN
8 HYPERBARIC clinics, which would use oxygen therapy to treat various ailments, and for general
9 working capital and company operations.

10 7. AMERICAN HYPERBARIC, NEO MEDICAL, Anthony Sciuto, Brett Sciuto, Frank
11 Johnson and Andre Rivas offered and sold unqualified, non-exempt securities in violation of the
12 California Corporate Securities Laws.

13 8. In connection with the offer and sale of these securities, AMERICAN HYPERBARIC,
14 NEO MEDICAL, Anthony Sciuto, Brett Sciuto, Frank Johnson and Andre Rivas made, or caused to
15 be made, misrepresentations of material fact or omitted to state material facts necessary in order to
16 make the statements made, in the light of the circumstances under which they were made, not
17 misleading. These misrepresentations and omissions included, but are not limited to the following:

18 9. AMERICAN HYPERBARIC, NEO MEDICAL, Anthony Sciuto, Brett Sciuto, Frank
19 Johnson and Andre Rivas failed to disclose:

- 20 a. that Anthony Sciuto was using investor money for his own personal use;
- 21 b. the amount of commissions that Independent Sales Offices and agents were
22 receiving from investor money;
- 23 c. the U.S. Securities and Exchange Commission's civil complaint filed on March
24 17, 2005 against Anthony Sciuto and his former company BodyScan Corporation, which resulted in
25 permanent injunctions from violating the federal securities laws; and
- 26 d. Administrative Orders issued by state securities regulators against Anthony Sciuto:
27 1) Wisconsin in 1999; and 2) Missouri in 2002.
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1 Based on the foregoing findings, the California Corporations Commissioner is of the opinion
2 that the securities in the form of limited partnership interests issued by AMERICAN HYPERBARIC
3 are securities subject to qualification under the California Corporate Securities Law of 1968 and are
4 being or have been offered or sold without being qualified, in violation of Section 25110 of the
5 Corporate Securities Law of 1968.

6 Pursuant to Section 25532 of the Corporate Securities Law of 1968, American Hyperbaric
7 Oxygen Therapy Clinics, L.P., Neo Medical Medical Investments, LLC, Anthony Sciuto, Brett
8 Sciuto, Frank Johnson and Andre Rivas are hereby ordered to desist and refrain from the further offer
9 or sale in the State of California of securities in the form of limited partnership interests unless and
10 until qualification has been made under said law or unless exempt. The sale of such securities is
11 subject to qualification under said law and such securities are being or have been offered for sale
12 without first being so qualified.

13 Further, the California Corporations Commissioner is of the opinion that the securities issued
14 by AMERICAN HYPERBARIC were offered and sold in this state by means of written or oral
15 communications which included untrue statements of material fact or omitted to state material facts
16 necessary in order to make the statements made, in the light of the circumstances under which they
17 were made, not misleading, in violation of section 25401 of the Corporate Securities Law of 1968.

18 Pursuant to Section 25532 of the Corporate Securities Law of 1968, American Hyperbaric
19 Oxygen Therapy Clinics, L.P., Neo Medical Medical Investments, LLC, Anthony Sciuto, Brett
20 Sciuto, Frank Johnson and Andre Rivas are hereby ordered to desist and refrain from offering or
21 selling or buying or offering to buy any security in the State of California, including but not limited to
22 limited partnership interests, by means of any written or oral communication which includes an
23 untrue statement of a material fact or omits to state a material fact necessary in order to make the
24 statements made, in the light of the circumstances under which they were made, not misleading.

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