

ADMINISTRATIVE PROCEEDING  
BEFORE THE  
SECURITIES COMMISSIONER OF SOUTH CAROLINA

IN THE MATTER OF: )  
 )  
James L. Nigg; Constructis, LLC; Constructis ) CONSENT ORDER  
Group, Inc.; and Constructis Energy, LLC; ) Matter No. 20211036  
 )  
Respondents. )  
\_\_\_\_\_ )

I. PRELIMINARY STATEMENT

Pursuant to the authority granted to the Securities Commissioner of South Carolina (the "Securities Commissioner") under the South Carolina Uniform Securities Act of 2005, S.C. Code Ann. § 35-1-101 et seq. and the regulations and rules promulgated thereunder (collectively, the "Act"), and delegated to the Securities Division of the Office of the Attorney General of the State of South Carolina (the "Division") by the Securities Commissioner, the Division conducted an investigation into the securities-related activities of James L. Nigg ("Nigg"), Constructis, LLC ("Constructis"), Constructis Group, Inc. ("CGI"), and Constructis Energy, LLC ("CEL") (collectively, the "Respondents"). In connection with its investigation, the Division has determined that the Respondents violated the Act.

Without admitting or denying the Findings of Fact and Conclusions of Law set forth below, except as to the jurisdiction of the Securities Commissioner over the Respondents and the subject matter of this proceeding, which are admitted, the Respondents, having been advised of their right to counsel, expressly consent to the entry of this Consent Order, which resolves the allegations against them set forth herein. The Respondents do not waive permanently any right to a hearing and appeal under S.C. Code Ann. § 35-1-609, respect to this Consent Order.

## II. JURISDICTION

1. The Securities Commissioner has jurisdiction over this matter pursuant to S.C. Code Ann. § 35-1-601(a).

## III. RELEVANT PERIOD

2. Except as otherwise expressly stated, the conduct described herein occurred between the period of September 1, 2012, and August 31, 2012 (“Relevant Period”).

## IV. RESPONDENTS

3. During the Relevant Period, Nigg was president of South Carolina.

4. Constructis is a South Carolina Limited Liability Company that was formed on July 12, 2007. During the Relevant Period, Constructis various business addr



B. The Constructis Website

16. The Respondents maintained a website (“Constructis Website”) that featured the kinetic energy machine, and the use of the machine’s development.

17. The Constructis Website made a general solicitation to the public regarding investing in Constructis. For example, in a February 5, 2021, post on the Constructis Website, Constructis “announced today its seeking investors to facilitate the launch of the more advanced” version of its machine.<sup>1</sup>

C. The “Slide Decks”

18. The Respondents produced to the Division a number of presentation “slide decks,” which were provided to potential investors, including one version that was provided to SC

22. The 2021 Slide Deck does not disclose or mention the risks associated with investing in Constructis.

23. The representations in the various slide decks exaggerate the status of Constructis, and its product development.

untrue statements of a material fact committed to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

33. The Respondents' violations of the Act set forth above provide the basis for this Consent Order, pursuant to S.C. Code Ann. § 35-1-604(a)(1).

34. This Consent Order is appropriate and in the public interest, pursuant to the Act.

#### VI. ORDER

NOW THEREFORE, pursuant to S.C. Code Ann. §

The undersigned, of the undersigned's full legal name, hereby certifies to the undersigned's

signature, and the undersigned's name, as appearing on the undersigned's

signature, and the undersigned's name, as appearing on the undersigned's

independent contractor agreement.

The undersigned's signature, and the undersigned's name, as appearing on the undersigned's

signature, and the undersigned's name, as appearing on the undersigned's

signature, and the undersigned's name, as appearing on the undersigned's

independent contractor agreement.

The undersigned's signature, and the undersigned's name, as appearing on the undersigned's

independent contractor agreement.

Signature of \_\_\_\_\_

James L. Niig

James L. Niig

Independent Constructors Group, Inc. consents to the terms of the above certificate.

Consent Order: