

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.

SECURITIES AND)
EXCHANGE COMMISSION,)
)
 Plaintiff,)
v.)
)
RYAN F. COBLIN and DELIVERY)
TECHNOLOGY SOLUTIONS, INC.,)
)
 Defendants.)
_____)

COMPLAINT

Plaintiff Securities and Exchange Commission alleges as follows:

I. INTRODUCTION

1. From at least February through April 2011, Defendants Ryan F. Coblin and Delivery Technology Solutions, Inc. engaged in a fraudulent scheme involving the company's stock.

2. Coblin, the CEO of Delivery Technology, paid an illegal cash kickback to a purported fiduciary of a hedge fund so he would purchase 166,666,666 restricted shares of the company's stock.

3. Unbeknownst to the Defendants, the hedge fund and the purported fiduciary were creations of the FBI, and the middleman was a witness cooperating with the FBI.

4. The Defendants attempted to conceal the kickback by paying it to the cooperating witness in cash.

5. As a result of the conduct described in this Complaint, the Defendants violated Section 17(a)(1) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77q(a)(1), and

Section 10(b) and Rule 10b-5(a) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5(a). Unless restrained and enjoined, they are reasonably likely to continue to violate the federal securities laws.

6. The Commission respectfully requests that the Court enter: (a) a permanent injunction restraining and enjoining the Defendants from violating the federal securities laws; (b) an order directing the Defendants to pay disgorgement with prejudgment interest; (c) an order directing the Defendants to pay civil money penalties; and (d) an order barring Coblin from participating in any offering of a penny stock.

II. DEFENDANTS

7. Coblin was the CEO and chairman of Delivery Technology. He resides in Boca Raton, Florida.

8. Delivery Technology is a Florida corporation with offices in Boca Raton. It purports to have developed software enabling companies to expand nationally and internationally, by providing catering/delivery management solutions. Its common stock was quoted on the OTC Link operated by OTC Markets Group, Inc. under the symbol “DTSL” at all relevant times. Delivery Technology’s securities have never been registered with the Commission.

9. Delivery Technology’s stock is a “penny stock” as defined by the Exchange Act. At all times relevant to this Complaint, the stock’s shares traded at a high of \$.0003 per share. During the same time period, Delivery Technology’s stock did not meet any of the exceptions to penny stock classification pursuant to Section 3(a)(51) and Rule 3a51-1 of the Exchange Act. For example, the company’s stock did not trade on a national securities exchange and was not an “NMS stock,” as defined in 17 C.F.R. § 242.600(b)(47). Furthermore, the company did not have

net tangible assets (i.e., total assets less intangible assets and liabilities) in excess of \$5,000,000 and did not have average revenue of at least \$6,000,000 for the last three years. *See* Exchange Act, Rule 3a51-1(g).

III. JURISDICTION AND VENUE

10. The Court has jurisdiction over this action pursuant to Sections 20(d) and 22(a) of the Securities Act, 15 U.S.C. §§ 77t(d) and 77v(a); and Sections 21(d) and 27 of the Exchange Act, 15 U.S.C. §§ 78u(d) and 78aa.

11. This Court has personal jurisdiction over the Defendants, and venue is proper in the Southern District of Florida, because Coblin resides in Boca Raton, and Delivery Technology's offices were located in Boca Raton during the allegations in this complaint. In addition, many of the Defendants' acts and transactions constituting violations of the Exchange Act occurred in the District. For example, on February 25, 2011, Coblin met with the cooperating witness in Boca Raton to discuss the scheme. Additionally, on March 24, they met in Boca Raton, so Coblin could personally deliver the kickback, and on March 28, Coblin sent a certificate, via express delivery, to the hedge fund, in Broward County, for the agreed-upon shares.

12. The Defendants, directly or indirectly, made use of the means or instruments of transportation or communication in interstate commerce, or of a means or instrumentality of interstate commerce, or of the mails, in connection with the conduct alleged in this Complaint.

IV. THE FRAUDULENT SCHEME

13. On February 25, 2011, after preliminary telephone conversations, Coblin met with the cooperating witness, who posed as a business associate of a corrupt fiduciary of a hedge

fund located in Broward County, Florida. They met to discuss a fraudulent scheme involving Delivery Technology stock.

14. During a March 9 telephone conversation, Coblin and the cooperating witness agreed the hedge fund would purchase Delivery Technology restricted stock in exchange for a 50% kickback to the hedge fund fiduciary. Of that amount, 40% would go to the hedge fund fiduciary and 10% would go to the cooperating witness.

15. Coblin commented "...if we have a dollar come in and 50 cents goes out, the question is going to be, for what reason...I don't mind taking it out, but there has to be a mechanism, there has to be a reason."

16. He further remarked, "...I understand how this is working, so we'll call it a major discount. It's trying to put something into place, where...we have to be creative somewhat."

17. During additional conversations, Coblin and the cooperating witness discussed the possibility of the hedge fund purchasing \$100,000 of Delivery Technology restricted stock in four separate transactions of \$25,000 each.

18. The cooperating witness told Coblin the fiduciary owed a fiduciary duty to the hedge fund.

19. On March 11, Coblin agreed to pay a 50% kickback to induce the hedge fund to purchase \$25,000 worth of his personal restricted shares of Delivery Technology stock. The cooperating witness told Coblin that "[the hedge fund employee is] looking for 12.5 back in cash, and we eliminate any paper trail...with the cash...keep quiet, be careful."

20. At one point during his discussions with the cooperating witness, Coblin proposed he sell his own shares of company stock to make things "easier." Coblin explained he could take the money and make a loan to Delivery Technology in a private transaction rather than worrying

about the money from the hedge fund going directly to the company. Coblin concluded, “so you guys theoretically are buying stock from me.”

21. On March 18, Coblin signed a stock purchase agreement, wherein the hedge fund agreed to purchase 166,666,666 shares of Delivery Technology restricted stock from Coblin for \$25,000.

22. The cooperating witness then provided Coblin with a \$25,000 check payable to him from the hedge fund. Approximately a week later, on March 24, Coblin handed the cooperating witness \$12,500 in cash representing the 50% kickback.

23. On March 28, Coblin sent a stock certificate to the hedge fund for the agreed-upon shares.

24. In anticipation of a possible second round of financing, Coblin signed a pre-dated stock purchase agreement for the hedge fund to purchase another 166,666,666 restricted shares of Delivery Technology stock from Coblin for \$25,000.

25. In April, Coblin and the cooperating witness exchanged emails regarding the possibility of a second transaction. Ultimately, however, no additional transactions occurred.

COUNT I

Fraud In Violation of Section 17(a)(1) of the Securities Act

26. The Commission realleges and incorporates paragraphs 1 through 25 of its Complaint. From at least February through April 2011, the Defendants directly and indirectly, by use of the means or instruments of transportation or communication in interstate commerce and by use of the mails, in the offer or sale of securities, as described in this Complaint, knowingly, willfully or recklessly employed devices, schemes or artifices to defraud.

27. By reason of the foregoing, the Defendants, directly and indirectly, violated and, unless enjoined, are reasonably likely to continue to violate, Section 17(a)(1) of the Securities Act, 15 U.S.C. §77q(a)(1).

COUNT II

Fraud in Violation of Section 10(b) and Rule 10b-5(a) of the Exchange Act

28. The Commission realleges and incorporates paragraphs 1 through 25 of this Complaint.

29. From at least February through April 2011, the Defendants, directly and indirectly, by use of any means or instrumentality of interstate commerce, or of the mails, in connection with the purchase or sale of securities, knowingly, willfully or recklessly, employed devices, schemes, or artifices to defraud

30. By reason of the foregoing, the Defendants, directly or indirectly, violated and, unless enjoined, are reasonably likely to continue to violate, Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5(a), 17 C.F.R. § 240.10b-5(a).

RELIEF REQUESTED

WHEREFORE, the Commission respectfully requests that the Court:

I.

Declaratory Relief

Declare, determine, and find that the Defendants have committed the violations of the federal securities laws alleged in this Complaint.

II.

Permanent Injunctive Relief

Issue a Permanent Injunction restraining and enjoining the Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, and each of them, from violating Section 17(a)(1) of the Securities Act and Section 10(b) and Rule 10b-5(a) of the Exchange Act, as indicated above.

III.

Disgorgement

Issue an Order directing all Defendants to disgorge all ill-gotten gains, including prejudgment interest, resulting from the acts or courses of conduct alleged in this Complaint.

IV.

Penalties

Issue an Order directing the Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d); and Section 21(d) of the Exchange Act, 15 U.S.C. § 78u(d).

V.

Penny Stock Bar

Issue an Order barring Coblin from participating in any offering of a penny stock, pursuant to Section 20(g) of the Securities Act, 15 U.S.C. § 77t(g), and Section 21(d) of the Exchange Act, 15 U.S.C. § 78u(d), for the violations alleged in this Complaint.

VI.

Further Relief

Grant such other and further relief as may be necessary and appropriate.

VII.

Retention of Jurisdiction

Further, the Commission respectfully requests that the Court retain jurisdiction over this action in order to implement and carry out the terms of all orders and decrees that it may enter, or to entertain any suitable application or motion by the Commission for additional relief within the jurisdiction of this Court.

Respectfully submitted,

June 4, 2012

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
Securities and Exchange Commission
(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)
(c) Attorneys (Firm Name, Address, and Telephone Number)
James M. Carlson, Esq., Senior Trial Counsel
S.E.C., 801 Brickell Avenue, Suite 1800
Miami, FL 33131; Tel. (305) 982-6328

DEFENDANTS
COBLIN, Ryan F.; and Delivery Technology Solutions, Inc.
County of Residence of First Listed Defendant Palm Beach County, FL
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
[X] 1 U.S. Government Plaintiff
[] 2 U.S. Government Defendant
[] 3 Federal Question (U.S. Government Not a Party)
[] 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)
PTF DEF
Citizen of This State [] 1 [] 1
Citizen of Another State [] 2 [] 2
Citizen or Subject of a Foreign Country [] 3 [] 3
Incorporated or Principal Place of Business In This State [] 4 [] 4
Incorporated and Principal Place of Business In Another State [] 5 [] 5
Foreign Nation [] 6 [] 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)
[X] 1 Original Proceeding
[] 2 Removed from State Court
[] 3 Remanded from Appellate Court
[] 4 Reinstated or Reopened
[] 5 Transferred from another district (specify)
[] 6 Multidistrict Litigation

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. §§ 77q(a)(1) and 78(j)(b); 17 C.F.R. §§ 240.10b-5(a)
Brief description of cause:
violation of federal securities laws

VII. REQUESTED IN COMPLAINT:
[] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$ perm inj, disg, civ pen, p/s bar
CHECK YES only if demanded in complaint:
JURY DEMAND: [] Yes [X] No

VIII. RELATED CASE(S) IF ANY (See instructions):
JUDGE
DOCKET NUMBER

DATE 06/04/2012
SIGNATURE OF ATTORNEY OF RECORD /s/ James M. Carlson

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

Ryan F. Coblin; and Delivery Technology Solutions, Inc.

Defendant

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Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Ryan F. Coblin
19258 South Creekshore Court
Boca Raton, FL 33498

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: James M. Carlson, Senior Trial Counsel
Lead Attorney for Plaintiff, Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

Ryan F. Coblin; and Delivery Technology Solutions, Inc.

Defendant

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Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Delivery Technology Solutions, Inc.
c/o Jeff Smith, CFO
751 Park of Commerce Drive, Suite 112
Boca Raton, FL 33487

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: James M. Carlson, Senior Trial Counsel
Lead Attorney for Plaintiff, Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk