

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 87933 / January 10, 2020

ADMINISTRATIVE PROCEEDING
File No. 3-19644

In the Matter of

RICK D. MULLINS,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND RULE 102(e) OF THE
COMMISSION’S RULES OF PRACTICE,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 102(e) of the Commission’s Rules of Practice against Rick D. Mullins (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings and the findings contained in Section III.2. below, which are admitted, Respondent consents to the entry of this Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Rule 102(e) of the Commission’s Rules of Practice, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent's Offer, the Commission finds that:

1. Respondent, age 55, of Southlake, Texas, is the president, chairman, and co-founder of Guardian Oil & Gas, Inc. ("Guardian"), and served as director and president of Guardian Oil & Natural Gas, Inc. ("GONG") in 2013. He also co-founded Mullins & White Energy, Inc., which merged into Mullins & White Exploration, Inc., the predecessor to Guardian. Mullins is a licensed attorney in the state of Texas and is a licensed CPA in the state of Texas. On January 24, 2014, pursuant to FINRA Rule 9552(h), FINRA barred Mullins from associating with a FINRA member firm in any and all capacities.

2. On December 20, 2019, a final judgment was entered by consent against Respondent, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 ("Securities Act") and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, in the civil action entitled *Securities and Exchange Commission v. Guardian Oil & Gas, Inc., Guardian Oil & Natural Gas, Inc., and Rick D. Mullins*, Civil Action Number 3:14-CV-01533-L, in the United States District Court for the Northern District of Texas, Dallas Division.

3. The Commission's complaint alleged, among other things, that Respondent fraudulently offered and sold securities in the form of partnership interests in oil and gas programs while making a variety of misrepresentations and misleading omissions to investors and potential investors. The complaint alleged, for example, that Respondent falsely represented to investors his companies' financial status and that investors' contributions would be used solely in connection with the specific drilling project in which they had invested. The complaint further alleged that Respondent used investors' money on expenses unrelated to their investments, was then unable to retain an interest in the drilling project he had purported to offer, and then concealed those facts from investors when collecting more money from them.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent's Offer.

Accordingly, it is hereby ORDERED

Pursuant to Rule 102(e)(3)(1) of the Commission's Rules of Practice, that Respondent be, and hereby is, suspended from appearing or practicing before the Commission as an attorney or accountant;

Pursuant to Section 15(b)(6) of the Exchange Act, Respondent be, and hereby is, barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act Respondent be, and hereby is, barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

By the Commission.

Vanessa A. Countryman
Secretary