

FILED

STATE OF INDIANA)
COUNTY OF HAMILTON)

IN THE HAMILTON CIRCUIT/SUPERIOR COURT

2009 JAN 13 AM 11:13
PEGGY BEAVER
CLERK
HAMILTON COUNTY COURTS (3)

CAUSE NO. 2009-03-0901-FC-014

STATE OF INDIANA

INFORMATION FOR:

VS

MARCUS J. SCHRENKER
12999 Rocky Pointe Road
McCordsville, Indiana 46055

Count 1:
Unlawful Acts by Compensated Advisor
Indiana Code § 23-19-5-2
a Class C Felony

OLN: 8927-30-1072 Indiana DOB: 11/22/1970

Count 2:
Unlawful Transaction by Investment Adviser
Representative
Indiana Code § 23-19-4-4
a Class C Felony

PHYSICAL DESCRIPTION
Race: White Sex: M Height: 6'00"
Weight: 205 Eyes: Brown Hair: Brown

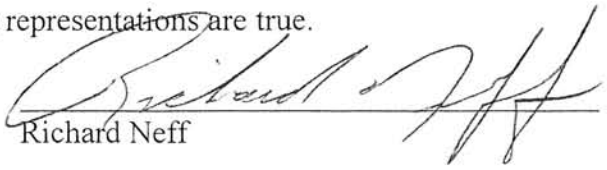
BE IT REMEMBERED,

That on this day, before me, Jo A. Crume a Notary Public, comes Richard Neff, who being duly sworn upon his oath, says that in the County of Hamilton, State of Indiana,

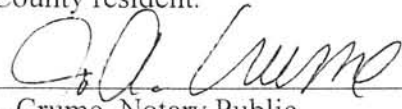
Count 1: on or between January 1, 2009 and January 11, 2009 Marcus J. Schrenker did, being a person who advises others for compensation, either directly or indirectly, as to the value of securities or the advisability of investing in, purchasing, or selling securities; or, a person for compensation and as part of a regular business, issues or promulgates analyses or reports relating to securities, or that receives compensation to solicit, offer, or negotiate for the sale of or for selling investment advice; knowingly engaged in an act, practice or course of business that operates or would operate as a fraud or deceit upon another person, to wit: omitted to inform Steve Madinger and/or Derek Madinger that his registration as an investment adviser representative in the State of Indiana was terminated on December 31, 2008; and

Count 2: between January 1, 2009 and January 11, 2009 Marcus J. Schrenker did knowingly transact business as an investment adviser representative without being registered with the Indiana Secretary of State, Securities Division, as required by law, and without being exempt from registration; all of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

I affirm, under penalty of perjury, that the forgoing representations are true.

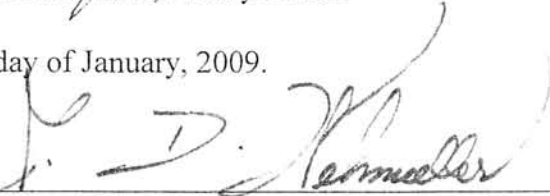

Richard Neff

Subscribed and sworn to before me, this 13th day of January, 2009.
My commission expires March 19, 2016. I am a Tipton County resident.



Jo A. Crume, Notary Public

Approved by me this 13th day of January, 2009.



Administrative Chief Deputy

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF HAMILTON:

Richard Neff, Senior Investigator, Indiana Secretary of State Securities Division, swears that the following information is true, and that he has personal knowledge of it, or learned it from another law enforcement officer.

BACKGROUND

I am an investigator employed by Indiana Secretary of State Todd Rokita, in the Securities Division. I became involved in an investigation of the defendant, **MARCUS SCHRENKER** ("Schrenker"), W/M, D.O.B. 11/27/1970, because of possible violations of the Indiana Uniform Securities Act. Schrenker has done business in Indiana as an investment adviser representative under the auspices of Icon Wealth Management, Inc. ("Icon"), Heritage Wealth Management, Inc. ("Heritage"), and Heritage Insurance Services, Inc. ("Heritage Insurance"), all of which are located in Hamilton County, Indiana. At the time of the offenses described below, Marcus Schrenker was a resident of Hamilton County, Indiana.

STEVE AND DEREK MADINGER

Steve Madinger and Derek Madinger are residents of Anderson, Madison County, Indiana. Steve Madinger is the owner of Madinger Management, LLC ("Madinger Management"). Schrenker began doing business with Madinger Management as its investment adviser representative in approximately August 2008.

Between approximately August 28, 2008 and present, Madinger Management has transferred approximately \$665,000 to Heritage and/or Heritage Insurance and/or Icon, for Schrenker to invest and manage on behalf of, and for the benefit of Madinger Management. In his capacity as investment adviser representative, Schrenker recommends investment products and gives investment advice to Steve and Derek Madinger, on behalf of Madinger Management. In exchange, Schrenker receives monetary compensation for his services.

Schrenker's registration as an investment adviser representative with the Indiana Secretary of State Securities Division was terminated on December 31, 2008. Although his registration as an investment adviser representative was terminated, Schrenker continues to actively conduct business as an investment adviser representative for Madinger Management.

Specifically, on January 5, 2009, Schrenker and Steve Madinger traded several text messages regarding redemption of some of Madinger Management's offshore accounts. On January 6, 2009, Schrenker sent Steve Madinger an email regarding Madinger Management's investments. In that email, Schrenker writes, "I will still be serving as your personal adviser..." He also informs Steve Madinger about investment opportunities with "several private equity companies," and gives information about redeeming a hedge fund. In addition, Schrenker provides a new email address for Steve Madinger to use for communicating with Schrenker in the future. Schrenker, Steve Madinger and Derek Madinger have no other relationship than that of investment advisor representative and client.

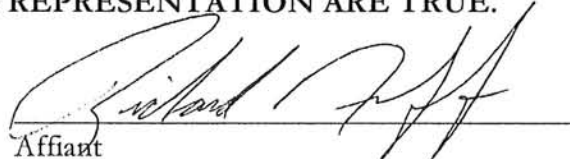
In connection with serving as investment adviser representative for Madinger Management, since January 1, 2009, Schrenker omitted informing Steve or Derek Madinger of the material fact that his investment adviser representative registration in the State of Indiana was terminated on December 31, 2008.

LICENSE/REGISTRATION

After a duly diligent search, the undersigned affiant learned that Marcus Schrenker is not currently registered with the Indiana Secretary of State Securities Division in any capacity. Schrenker's most recent registration in Indiana, as an investment adviser representative, was terminated on December 31, 2008. Schrenker was last registered in Indiana with Heritage Wealth Management, Inc.

I SWEAR (AFFIRM), UNDER THE PENALTY OF PERJURY AS SPECIFIED BY IC 35-44-2-1, THAT THE FOREGOING REPRESENTATION ARE TRUE.

Date: 1/13/09


Affiant

IN THE CIRCUIT/SUPERIOR COURT

STATE OF INDIANA

STATE OF INDIANA

VS

MARCUS J. SCHRENKER

29D03-0901 FCO14
CAUSE NO. 29-

ORDER FINDING PROBABLE CAUSE AND ISSUANCE OF WARRANT

1/13/09, 2009

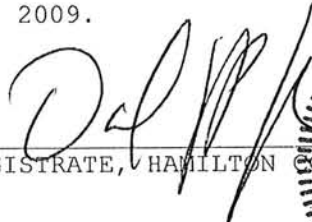

Comes now the State of Indiana and files Information. The State presents to the Court sworn evidence of Probable Cause for the issuance of an arrest warrant and in support of the charge(s) filed herein. The Court being duly advised now finds that there is Probable Cause for the arrest of the defendant on the charge(s) of:

Count I: Unlawful Acts by Compensated Advisor under Indiana Code § 23-19-5-2, a Class C Felony

Count II: Unlawful Transaction by Investment Adviser Representative under Indiana Code § 23-19-4-4, a Class C Felony

and does now Order the Clerk of Hamilton County to issue a warrant for the arrest of the defendant and orders bond set at \$ 4,000,000 cash only

SO ORDERED THIS 13 DAY OF JANUARY, 2009.


MAGISTRATE, HAMILTON COUNTY COURTS


Distribution:

Office of the Prosecuting Attorney-24th Judicial Circuit

Hamilton County Sheriff

W A R R A N T

Cause No.29D03 0901-FC-000014
Bail Amt. \$4,000.000.00 CASH BOND

STATE OF INDIANA
TO THE SHERIFF OF HAMILTON COUNTY, GREETINGS:

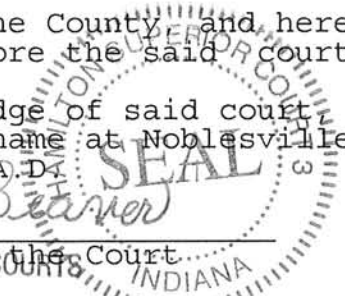
YOU ARE hereby commanded to arrest SCHRENKER, MARCUS J
forthwith, and hold that person to bail, to answer in the
Hamilton Superior Court 3 in the State of Indiana, on a charge of:

OFFENSE	CLASS	TYPE	STATUTE NO.
UNLAWFUL ACTS BY COMPENSATED A	C	CF	23-19-5-2
UNLAWFUL TRANS INVEST ADVISOR	C	CF	23-19-4-4

AND for want of bail commit such person to the jail of the County, and here
after without unnecessary delay to bring such person before the said court.

IN WITNESS WHEREOF, I, Peggy Beaver, Clerk/Judge of said court,
hereto affix the seal thereof, and subscribe my name at Noblesville,
Hamilton County, Indiana, this 13th day of Jan, 2009 A.D.

Peggy Beaver
Clerk/Judge of the Court



SHERIFF'S RETURN

Served this _____ day of _____, 20____, at _____ a.m./p.m.

SHERIFF

PERSONAL DATA
Address: 12999 ROCKY POINTE ROAD
MCCORDSVILLE IN 46055

ALT ADDRESS:

D.O.B.:11/22/70
SEX:M RACE:W HGT:600
WT:205 EYES:BRN HAIR:BRN

ARRESTING OFFICER:
ARRESTING AGENCY: NO AGENCY
AGENCY CASE NUMBER:
SPECIAL NOTES: