

State Actions

Matter Name	Type of Action	Date / Matter Information	Responsible Agency	Press Contact
Nonpublic investigation of Oregon-based business opportunity	Continuing investigation and cease-and-desist agreement to cease doing business in Alaska. Restitution of \$8,200 paid.	Winter 2010–11	Alaska Department of Law, Consumer Protection Unit	Cynthia C. Drinkwater (907) 269-5200 cynthia.drinkwater@alaska.gov
Updated consumer education brochure	Consumer education.	March 2011	Alaska Department of Law, Consumer Protection Unit	Cynthia C. Drinkwater (907) 269-5200 cynthia.drinkwater@alaska.gov
<i>People v. Independent Vending Concepts, LLC, Brian L. Jensen</i>	Civil Action: Civil penalty of \$75,000; permanently enjoined from engaging in the sale of unregistered seller-assisted marketing plans in violation of California Law; Final Judgment and Permanent Injunction entered, following entry of default, as to defendant Brian L. Jensen.	Nov. 10, 2010	California AG’s Office	Jim Finefrock, Director of Communications (510) 622-4500 Jim.Finefrock@doj.ca.gov
<i>Eric Yun, aka Mansoon Eric Yoon or Eric Man S. Yun, Green on Blue, Inc., dba Yogurberry U.S.A. and Yogurberry Franchising Company</i>	Administrative Action for violating the California Franchise Investment Law; issued a Desist and Refrain Order and imposed penalties of \$42,500 and ordered \$2,339,400 in restitution to victims. Case involves the franchising of “Yogurberry” frozen yogurt outlets and fraudulent statements and omissions.	Jan. 7, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov

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<i>International Training and Exchange Inc. Lango Kids</i>	Administrative Action for violating the California Franchise Investment Law; issued a Desist and Refrain Order and entered into a stipulation to desist and refrain from unregistered offer and sale of franchises. Case involves the franchising of the Lango program to teach young children to speak a second language.	Mar. 2, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov
<i>BodyLogicMD, Inc.</i>	Administrative Action for violating the California Franchise Investment Law; issued a Desist and Refrain Order and entered into a stipulation to desist and refrain from unregistered offer and sale of franchises. Case involves the franchising of anti-aging specialty centers.	Apr. 15, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov
<i>Joey's Smokin' BBQ Franchising, Inc. Joey's Smokin' BBQ, Inc.</i>	Administrative Action for violating the California Franchise Investment Law; issued a Desist and Refrain Order and entered into a stipulation to desist and refrain from unregistered offer and sale of franchises and payment of legal and investigative costs. Case involves the franchising of BBQ restaurants.	May 4, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov

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<i>Stanton Optical, LLC</i> <i>Vision Value, LLC</i> <i>Macarius & Daniel, LLC</i> <i>Macarius, Max & Daniel, LLC</i> <i>Marco Musa</i> <i>Daniel Stanton</i> <i>Max Macarius</i>	Administrative Action: Issued a Desist and Refrain Order from the unregistered offer and sale of franchises; Stanton operates as a retailer of eyeglasses and contact lenses and provides onsite full laboratory service.	Nov. 4, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov
<i>Garlic Jim's Franchise International, Inc.</i>	Administrative Action for violating the California Franchise Investment Law; issued a Desist and Refrain Order to refrain from making material misstatements or omissions and an order assessing citations of \$140,000; also brought claims for rescission, restitution, and damages on behalf of franchisees and costs of \$25,000.	Dec. 30, 2010	California Department of Corporations	Mark Leyes (916)-322-7180 mleyes@corp.ca.gov
<i>Monet Investors, LLC</i>	Investigation of unlawful trade practices involving advance fees charged for assistance in finding employment and starting or expanding businesses. Complaint filed.		District of Columbia AG's Office	Bennett Rushkof, Section Chief, Public Advocacy Section (202) 727-5173 Bennett.rushkoff@dc.gov

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<i>In re Ivy Captial, Inc.</i>	Civil Action: Assurance of Voluntary Compliance filed; includes \$500.00 in costs to the State and agreement to comply with Indiana Statutes in future. Company involved in selling training for at-home Internet businesses.	Dec. 3, 2010	Indiana AG's Office	Molly Butters Press Office (317) 296-6115 molly.butters@atg.in.gov
<i>In re Tom Butler's Short Sale</i>	Civil Action: Assurance of Voluntary Compliance; includes \$750 in costs to the State; \$3,775 in restitution, and an agreement to comply with Indiana Statutes in the future. Company involved in selling training to buy and sell foreclosed houses.	June 25, 2010	Indiana AG's Office	Molly Butters Press Office (317) 296-6115 molly.butters@atg.in.gov
<i>State v. Imergent, Inc., and Stores Online, Inc.</i>	Civil Action: Rule to Show Cause; filed for violation of Consent Judgment.	Mar. 19, 2007	Indiana AG's Office	Molly Butters Press Office (317) 296-6115 molly.butters@atg.in.gov
<i>Kansas v. The Greatest Virtual Office LLC, Greatest Emarketing LLC, and Sandra Kay Johnson</i>	Civil Action for violations of Kansas Consumer Protection Act and Kansas No-Call Act, involving the sale of websites and related marketing services; Consent Judgment including the award of \$20,000 in penalties and fees to the AF, along with injunctive relief, and consumer redress.	May 24, 2010	Kansas AG's Office, Consumer Protection Division	Clint Blaes (785) 296-6115 clint.blaes@ksag.org

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<i>In re Solid Ad Solutions, LLC and Christopher Lewallen</i>	Civil Action: Summary Order to Cease and Desist and Order to Show cause dated Nov. 15, 2010; resulted in Consent Order Jan. 31, 2011, in which respondents agreed to offer refunds to all Maryland buyers. Arizona-based sellers of business opportunity involving Internet marketing services to allow buyers to earn commissions from selling products over the Internet.	Jan. 31, 2011	Maryland AG's Office, Securities Division	Raquel Guillory (410) 576-6357 rguillory@oag.state.md.us
<i>In re Colourco SV, Inc. And Jacques St. Pierre</i>	Civil Action: Order to Show Cause dated Dec. 6, 2010; resulted in Final Order to Cease and Desist dated Jan. 4, 2011 and permanent bar against respondents from offering business opportunities in Maryland. Colorado-based sellers of business opportunity involving dealerships to clean and resurface automobile headlights.	Jan. 4, 2011	Maryland AG's Office, Securities Division	Raquel Guillory (410) 576-6357 rguillory@oag.state.md.us

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<i>In re Jerry Goldberg, d.b.a. Big Bear Advertising Agency</i>	Investigation regarding Tennessee-based marketing director for business opportunity involving the sale of books promoted by national advertising campaign; resulted in Consent Order in which respondents agreed to cease and desist from violating Act and complete refunds to all Maryland buyers of the Big Bear business opportunity.	July 21, 2011	Maryland AG's Office, Securities Division	Raquel Guillory (410) 576-6357 rguillory@oag.state.md.us
<i>In re David Baginski and Secret Money Factory</i>	Summary Order to Cease and Desist dated Sept. 2, 2010; resulted in Consent Order in which respondent agreed to cease and desist from violating Maryland Securities Act and pay \$75,000 penalty (penalty was waived in light of respondent's financial condition). Involved Maryland individual promoting various investment programs and "gifting" operation on websites.	Feb. 3, 2010	Maryland AG's Office, Securities Division	Raquel Guillory (410) 576-6357 rguillory@oag.state.md.us
<i>In re Wata-Wing, LLC and Donald Prevette</i>	Order to Show Cause dated Aug. 13, 2010; resulted in Consent Order in which respondents agreed to cease and desist violating Maryland Franchise law and make full refunds to all Maryland franchisees. Involved sale of chicken wing restaurant franchises.	Jan. 28, 2011	Maryland AG's Office, Securities Division	Raquel Guillory (410) 576-6357 rguillory@oag.state.md.us

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<i>In re John Beck Corp., At Home Rewards, Plan Plus, JbeckProVault, Bookeeping Services, ikongo, Success Planning & Essentials, Tax Club, Vital Payroll, Business Document Center, and John Beck Seminar</i>	Investigation involving a real estate business scam and affiliated companies who offered various services to help him manage his “business.” The companies reversed credit card charges and refunded finance charges, late fees, and over limit fees on the victim’s credit card; recovery of over \$70,000 to the victims.		Montana AG’s Office, Office of Consumer Protection	Kevin O’Brien (406) 444-2026 ko'brien@mt.gov
<i>New Jersey v. Captial Enterprises, Inc. d/b/a Maxwell Scott, David Gates Financial and David S. Brookman</i>	Civil Action for violation of New Jersey Consumer Fraud Act; case involves an envelope stuffing work-at-home scheme.	Feb. 25, 2011	New Jersey AG’s Office, Consumer Fraud Prosecution Section	Jeff Lamm Division of Consumer Affairs Press Office (973) 504-6323
<i>State of North Carolina, ex rel. Roy Cooper, Attorney General v. Marilyn Broerman, Individually, The Beacon Project, Creative Marketing Solutions, and Universal Placement Services</i>	Civil Action: Complaint filed for unfair and deceptive practices, violations of Business Opportunity Sales Act, and violations of the Charitable Solicitations Act. Defendants sold candy vending opportunities to individuals and represented that the profits would go to help locate missing children.	Feb. 28, 2011	North Carolina’s AG’s Office	Noelle Talley or Jennifer Canada Public Information Office (919) 716-6413

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<i>State of North Carolina, ex rel. Roy Cooper, Attorney General v. iMergent, Inc. And StoresOnline, Inc.</i>	Civil Action: Over \$1.3 million in restitution paid to NC Consumers. Defendants' appealed from a Contempt Order entered by the Court for defendants' failure to comply with the Consent Judgment; parties entered into Consent Order to resolve appeal on Mar. 24, 2010.	Mar. 24, 2010	North Carolina's AG's Office	Noelle Talley or Jennifer Canada Public Information Office (919) 716-6413
<i>Clean Sweeps Holdings</i>	Investigation of possible unfair and deceptive practices and violations of Business Opportunity Sales Act involving the sale and placement of Internet sweepstakes terminals.	Investigation ongoing	North Carolina's AG's Office	Noelle Talley or Jennifer Canada Public Information Office (919) 716-6413
<i>Fortune Hi Tech Marketing</i>	Investigation of possible unfair and deceptive practices and violations of North Carolina's pyramid scheme statute.	Investigation ongoing	North Carolina's AG's Office	Noelle Talley or Jennifer Canada Public Information Office (919) 716-6413
<i>North Carolina Consumer Education Campaign: "Beware of Fake Business Opportunities"</i>	Consumer Education Campaign: A tool kit to educate consumers on fraudulent business opportunities, prevent scams before they occur, and direct consumers where to get help; includes print, Web, and video materials.	To be released Mar. 2011	North Carolina's AG's Office	Noelle Talley or Jennifer Canada Public Information Office (919) 716-6413

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<i>Storesonline, Inc. Aka Imergent, Inc.</i>	Civil Action for using unconscionable tactics in the sale of goods and services. Assurance of Voluntary Compliance filed; includes \$5,6421.82 in restitution and \$7,500 to State's Consumer Protection and Education.	July 22, 2010	Oregon Department of Justice, Financial Fraud Section	Tony Green (503) 378-6002 Tony.Green@doj.stat.or.us
<i>Associated Capital Advance (ACA) LLC and Sandy Hoffman</i>	Administrative Action and Investigation: Final Order to Cease and Desist from violations of the registration disclosure and anti-fraud provisions of the state Business Opportunity Fraud Act issued against ACA; involves failure of the company to register with the State of Washington a business opportunity involving the right to become an "affiliate" and earn money soliciting loan applications. The company is alleged to have failed to disclose material facts about the investment opportunity to a Washington State investor.	Feb. 18, 2011	Washington State Department of Financial Institutions, Securities Division	Bill Beatty Securities Administrator (360) 902-8723 bbeatty@dfi.wa.gov