

1 that MacArthur Birch would return the investor's entire principal investment in twelve months from
2 the date of investment. Investors did not receive the promised return.

3 Based on the foregoing findings, the California Corporations Commissioner is of the opinion
4 that the investment contracts offered and/or sold by MacArthur Birch, LLC, Betty Warner, and
5 Eugene Foster are securities subject to qualification under the California Corporations Code and were
6 offered in this state by means of written or oral communications that included untrue statements of
7 material fact and/or omitted to state material facts necessary in order to make the statements made, in
8 the light of the circumstances under which they were made, not misleading, in violation of section
9 25401 of the California Corporations Code.

10 Pursuant to Section 25532 of the California Corporations Code, MacArthur Birch, LLC, Betty
11 Warner, and Eugene Foster are hereby ordered to desist and refrain from offering or selling any
12 security in the State of California, including, but not limited to investment contracts by means of any
13 written or oral communication which includes an untrue statement of a material fact or omits to state
14 a material fact necessary in order to make the statements made, in the light of the circumstances
15 under which they were made, not misleading.

16 This Order is necessary, in the public interest, for the protection of investors and consistent
17 with the purposes, policies, and provisions of the California Corporations Code.

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19 Dated: October 6, 2009
20 Sacramento, California

21 PRESTON DuFAUCHARD
22 California Corporations Commissioner

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24 By _____
25 ALAN S. WEINGER
26 Deputy Commissioner
27 Enforcement Division
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