

1 STATE OF CALIFORNIA  
2 BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
3 DEPARTMENT OF CORPORATIONS  
4

5 TO: HOWARD WILLERS  
6 9899 Santa Monica Blvd., #1108  
7 Beverly Hills, CA 90212

8  
9 **DESIST AND REFRAIN ORDER**

10 **(For violations of sections 25210 and 25401 of the Corporations Code)**

11 The California Corporations Commissioner finds that:

- 12 1. Howard Willers possessing no certificate as a broker-dealer or agent offered and sold  
13 to a resident of California securities in the form of viaticals issued by The Alpha Capital  
14 Group, LLC by means of an oral communication containing false statements.
- 15 2. Beginning in or about December 1998, Howard Willers offered and sold securities in  
16 the form of viaticals issued by The Alpha Capital Group, LLC. The dates of the transactions  
17 are December 16, 1998, and January 21, 1999.
- 18 3. Howard Willers told an investor that he is a licensed financial broker and that the  
19 principal is not at risk. In fact, Howard Willers did not have a license to sell securities and  
20 the principal was at risk.

21 Based upon the foregoing findings, the California Corporations Commissioner is of  
22 the opinion that Howard Willers has effected a transaction in a security as a broker-dealer  
23 without first having applied for and secured from the Commissioner a certificate, then in  
24 effect, authorizing him to act in that capacity, in violation of section 25210 of the Corporate  
25 Securities Law of 1968. Pursuant to Section 25532 of the Corporate Securities Law of  
26 1968, Howard Willers is hereby ordered to **DESIST and REFRAIN** from effecting any  
27 transaction in, or inducing or attempting to induce the purchase or sale of, any security in  
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1 this state, unless and until he has applied for and secured from the Commissioner a  
2 certificate, then in effect, authorizing him to act in that capacity.

3 Further, Howard Willers offered and sold the security of The Alpha Capital Group,  
4 LLC in this State by means of written or oral communications which included untrue  
5 statements of a material fact or omitted to state a material fact necessary in order to make  
6 the statements made, in light of the circumstances under which they were made, not  
7 misleading, in violation of section 25401 of the Corporate Securities Law of 1968. Pursuant  
8 to Section 25532 of the Corporate Securities Law of 1968, Howard Willers is hereby ordered  
9 to **DESIST and REFRAIN** from offering and selling any security in the State of California,  
10 including but not limited to, by means of any written or oral communication which includes  
11 an untrue statement of a material fact or omits to state a material fact necessary in order to  
12 make the statements made, in light of the circumstances under which they were made not  
13 misleading.

14 This Order is necessary, in the public interest, for the protection of investors and  
15 consistent with the purposes, policies, and provisions of the Corporate Securities Law of  
16 1968.

17  
18 Dated: December 24, 2002

19 Sacramento, California

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21 DEMETRIOS A. BOUTRIS  
22 California Corporations Commissioner

23  
24 By \_\_\_\_\_  
25 VIRGINIA JO DUNLAP  
26 Supervising Counsel  
27 Enforcement and Legal Services  
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