

1 MARY ANN SMITH  
Deputy Commissioner  
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Assistant Chief Counsel  
3 LINDSAY B. HERRICK (224986)  
Corporations Counsel  
4 Department of Business Oversight  
1515 K Street, Suite 200  
5 Sacramento, CA 95814  
Telephone: (916) 445-3682  
6

7 Attorneys for Complainant

8  
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
10 OF THE STATE OF CALIFORNIA

10 In the Matter of )  
11 )  
12 THE CALIFORNIA COMMISSIONER OF )  
BUSINESS OVERSIGHT, )  
13 )  
Complainant, )  
14 v. )  
15 RALPH O. BERRY III, aka Ralph O. Berry, aka )  
16 Ralph Berry, BILL LAWRENCE, BERRY )  
17 RESOURCES, INC., and BERRY PROSPECT )  
#21, KENTUCKY LIMITED PARTNERSHIP, )  
18 Respondents. )

ORDER IMPOSING PENALTIES AND  
ANCILLARY RELIEF

19  
20 To: Bill Lawrence  
21 Berry Resources, Inc.  
22 Berry Prospect #21 Kentucky Limited Partnership  
146 Witt Road  
23 Bowling Green, KY 42101-9675

24 The California Commissioner of Business Oversight (“Commissioner”) of the Department of  
25 Business Oversight (“Department”), finds that:

- 26 1. On April 6th, 2011, the Commissioner issued a Notice of Intention to Issue Order  
27 Levying Administrative Penalties (Corporations Code section 25252) and Claim for Ancillary Relief  
28 (Corporations Code section 25254), a Statement in Support thereof, as well as a Desist and Refrain

1 Order against Ralph O. Berry III, aka Ralph O. Berry, aka Ralph Berry, Bill Lawrence, Berry  
2 Resources, Inc., and Berry Prospect #21 Kentucky Limited Partnership, (collectively,  
3 “Respondents”).

4 2. Respondent Bill Lawrence was served a copy of the aforementioned documents on  
5 June 9, 2011.

6 3. Respondent Lawrence did not file a notice of defense or otherwise request a hearing.

7 NOW THEREFORE, GOOD CAUSE SHOWING, pursuant to Corporations Code section  
8 25252, the Commissioner having found that Respondent Bill Lawrence willfully violated  
9 Corporations Code sections 25110, 25210 and 25401, as well as the Commissioner’s Desist and  
10 Refrain Order of October 24, 2007, Respondent is hereby ordered to pay the Commissioner the sum  
11 of \$165,000.00 in administrative penalties. Respondent Bill Lawrence is also jointly and severally  
12 responsible for the administrative penalties sought against the remaining Respondents Ralph O.  
13 Berry, III, also known as Ralph O. Berry and Ralph Berry, Berry Resources, Inc., and Berry  
14 Prospect #21, Kentucky Limited Partnership in the amount of \$344,500.00, and is hereby ordered to  
15 pay the Commissioner a total amount of \$509,000.00 in administrative penalties.

16 Further, pursuant to Corporations Code section 25254, Respondent Bill Lawrence is hereby  
17 ordered to pay to the Commissioner full restitution of principal investment monies in an amount of  
18 \$14,000.00 plus the legal rate of interest accumulated on the investment principal, in the amount of  
19 \$13,281.96 for a total amount of \$27,281.96.

20 Additionally, pursuant to Corporations Code section 25254, Respondent Bill Lawrence is  
21 hereby ordered to pay to the Commissioner attorney’s fees, investigative expenses, and costs in an  
22 amount of \$7,963.85.

23 Payment in the total amount of \$544,245.81 shall be made by January 12, 2015, in the form  
24 of a cashier’s check, made payable to the following:

25 Department of Business Oversight  
26 1515 K Street, Suite 200  
27 Sacramento, California 95814

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Payment shall be sent to the following:

Lindsay B. Herrick, Corporations Counsel  
Department of Business Oversight  
Enforcement Division  
1515 K Street, Suite 200  
Sacramento, California 95814

Dated: December 10, 2014

JAN LYNN OWEN  
Commissioner of Business Oversight

By: \_\_\_\_\_  
MARY ANN SMITH  
Deputy Commissioner