

STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF CORPORATIONS

TO: Alexander Zubkis  
Best Mobile Promotions, L.P.  
132 Garden Street, Suite #2C Box 25  
Santa Barbara, California 93101  
and  
1850 5<sup>th</sup> Avenue  
San Diego, California 92101

**DESIST AND REFRAIN ORDER**

**(For violations of sections 25110 and 25401 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. At all relevant times herein, Best Mobile Promotions, L.P. (“Best Mobile”), a California limited partnership, which was formed in January 2002 was located at 132 Garden Street, Suite #2C Box 25, Santa Barbara, California 93101, 1859 5<sup>th</sup> Avenue, San Diego, California 92101 or in Indio, California. The California Secretary of State records also show 3650 Country Trails Lane, Bonita, California 91902 as the registered office for Best Mobile.

2. At all relevant times herein, Alexander Zubkis (“Zubkis”) was the General Partner of Best Mobile.

3. Beginning in around April 2003 and continuing through at least March 2007, Zubkis and Best Mobile offered and sold securities in the form of investment contracts in limited partnership interests in Best Mobile to over twenty investors totaling about \$295,000. Zubkis obtained investment money by soliciting investors through unsolicited telephone calls.

4. Best Mobile’s alleged business was marketing and promotions of companies via pens, other novelty items and articles of clothing. However, Zubkis used investor money for his own personal use and failed to disclose that: a) he was convicted of burglary; b) denied registration as a general securities representative; and c) he was not licensed to solicit securities.

5. In connection with the offer and sale of these securities, Zubkis and Best Mobile

1 made, or caused to be made, misrepresentations of material fact or omitted to state material facts  
2 necessary in order to make the statements made, in the light of the circumstances under which they  
3 were made, not misleading. These misrepresentations and omissions included, but are not limited to  
4 the following:

- 5 a. Investors were not told that Zubkis had been convicted of felony burglary;
- 6 b. Investors were not told that Zubkis had been denied registration as a general  
7 securities representative for his burglary conviction and for failing to disclose  
8 his conviction during the application process;
- 9 c. Investors were not told that Zubkis was using investor money for his own  
10 personal use; and
- 11 d. Investors were not told that Zubkis and Best Mobile were not licensed to solicit  
12 securities.

13 Based on the foregoing findings, the California Corporations Commissioner is of the opinion  
14 that the securities in the form of investment contracts in limited partnership interests in Best Mobile  
15 offered and sold by Zubkis and Best Mobile are securities subject to qualification under the  
16 California Corporate Securities Law of 1968 and are being or have been offered or sold without being  
17 qualified, in violation of Section 25110 of the Corporate Securities Law of 1968.

18 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Alexander Zubkis and  
19 Best Mobile Promotions, L.P. are hereby ordered to desist and refrain from the further offer or sale in  
20 the State of California of securities, including, but not limited to investment contracts in the form of  
21 limited partnership interests in Best Mobile unless and until qualification has been made under said  
22 law or unless exempt. The sale of such securities is subject to qualification under said law and such  
23 securities are being or have been offered for sale without first being so qualified.

24 Further, the California Corporations Commissioner is of the opinion that the securities offered  
25 and sold by Zubkis and Best Mobile were offered and sold in this state by means of written or oral  
26 communications that included untrue statements of material fact or omitted to state material facts  
27 necessary in order to make the statements made, in the light of the circumstances under which they  
28 were made, not misleading, in violation of section 25401 of the Corporate Securities Law of 1968.

1 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Alexander Zubkis and  
2 Best Mobile Promotions, L.P. are hereby ordered to desist and refrain from offering or selling or  
3 buying or offering to buy any security in the State of California, including, but not limited to,  
4 investment contracts in the form of limited partnership interests in Best Mobile by means of any  
5 written or oral communication which includes an untrue statement of a material fact or omits to state  
6 a material fact necessary in order to make the statements made, in the light of the circumstances  
7 under which they were made, not misleading.

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

10 Dated: November 6, 2008  
11 Los Angeles, California

12 PRESTON DuFAUCHARD  
13 California Corporations Commissioner

14 By \_\_\_\_\_  
15 ALAN S. WEINGER  
16 Lead Corporations Counsel  
17 Enforcement Division  
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