

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 MICHAEL PINKERTON
3 Deputy Commissioner
ALAN S. WEINGER
4 Lead Corporations Counsel
JOHN R. DREWS (CA BAR NO. 69595)
5 Corporations Counsel
6 Department of Corporations
71 Stevenson Street, Suite 2100
7 San Francisco, CA 94105
8 Telephone: (415) 972-8570
9 Fax: (415) 972-8550

Attorneys for Complainant

10
11
12 BEFORE THE DEPARTMENT OF CORPORATIONS
13 OF THE STATE OF CALIFORNIA
14

15 In the Matter of
16 THE CALIFORNIA CORPORATIONS
COMMISSIONER,
17 Complainant,
18 v.
19 CALIFORNIA MORTGAGE AND REALTY
20 INC.; and CMR MORTGAGE FUND III, LLC;
21 Respondents.

Case No.
File No. 506-3136,
ORDER SUMMARILY SUSPENDING
PERMIT ISSUED UNDER SECTION 25113
Corporations Code Section 25143(a)

22
23
24
25
26 TO: CMR MORTGAGE FUND III
27 62 First Street, 4th Floor
28 San Francisco, California 94105

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR GOOD CAUSE APPEARING pursuant to Corporations Code section 25140(a) and 25143(a), the California Corporations Commissioner enters an Order Summarily Suspending Permit Issued under Section 25113 to CMR Mortgage Fund III LLC, for the reasons set forth in the Accusation attached and incorporated by reference.

Corporations Code section 25143(a) states as follows:

The commissioner may by order summarily postpone or suspend the effectiveness of any qualification pending final determination of any proceeding under this chapter. Upon the entry of the order, the commissioner shall promptly notify each person specified in subdivision (b) of this section that is has been entered and of the reasons therefore and that upon the receipt of a written request the matter will be set down for hearing to commence within 15 business days after such receipt unless the applicant consents to a later date. If no hearing is requested and none is ordered by the commissioner, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice and hearing in accordance with subdivision (b) of this section, may modify or vacate the order or extend it until final determination.

This Order is effective as of this date.

Dated: December 9, 2008

PRESTON DuFAUCHARD
California Corporations Commissioner

By: _____
ALAN S. WEINGER
Lead Corporations Counsel
Enforcement Division