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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE CITY AND COUNTY OF SAN FRANCISCO

10 THE PEOPLE OF THE STATE OF  
CALIFORNIA, by and through the  
11 CALIFORNIA CORPORATIONS  
COMMISSIONER,  
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13 Plaintiff,

14 vs.

15 CORBINMOTORS.COM, INC., CORBIN  
MOTORS, INC., THOMAS W. HANAGAN  
16 AKA TOM CORBIN, JENNIFER J.  
WILSON, BAY CITY DEVELOPMENT  
17 CORPORATION, MICHAEL HANAGAN  
AKA MIKE CORBIN, MICHAEL  
18 D'ANDREA, CORBIN MOTORS DAYTONA  
BEACH, INC., FRANK ANTHONY LUZI,  
19 JR. AKA ANTHONY LUZI and DOES 1  
through 90, inclusive

20 Defendants.  
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Case No.: CGC 03420165

**FIRST AMENDED COMPLAINT FOR  
TEMPORARY RESTRAINING ORDER;  
PRELIMINARY INJUNCTION;  
PERMANENT INJUNCTION; CIVIL  
PENALTIES; AND ANCILLARY RELIEF**

[Securities Litigation (28)]  
(Corporations Code §§ 25110, 25401,  
25535, 31110, 31201, 31405)

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23 Demetrios A. Boutris, California Corporations Commissioner, acting to protect the  
24 public from the unlawful and fraudulent sale of unqualified securities and franchises and  
25 unlicensed activity by natural persons involved in the securities and franchise businesses,  
26 brings this action in the public interest in the name of the People of the State of California.  
27 The People of the State of California allege:  
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**FACTUAL SUMMARY**

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2 1. Since its inception in 1999, Defendant CorbinMotors.com, Inc., operated principally  
3 by Defendant Thomas W. Hanagan aka Tom Corbin in Hollister, California, has raised more  
4 than \$10 million by selling unqualified stock in the car-manufacturing portion of the company  
5 and by selling unregistered franchises in car dealerships. CorbinMotors.com, Inc., was  
6 apparently formed initially to produce the Sparrow, an electric, single seat commuter vehicle  
7 with three wheels, and which was featured in the most-recent Austin Powers movie.  
8 Defendants have managed to manufacture less than 300 vehicles, many of which have  
9 been returned with significant mechanical problems. Repairs often take months, if done at  
10 all. Many franchise dealers have received either no vehicles or not enough vehicles to  
11 conduct business. Defendants have received many thousands of dollars in deposits, but  
12 orders remain unfilled. Defendants have omitted or misrepresented the true facts  
13 concerning the performance and health of the company to potential investors and  
14 franchisees. Defendants have ignored or violated the qualification and registration  
15 requirements of the Department of Corporations by their behavior, including but not limited  
16 to bringing tours of senior citizens through the factory to market and sell stock. Company  
17 assets have been misdirected to fund the lifestyles of Defendant Thomas W. Hanagan aka  
18 Tom Corbin, his family, and a small inner circle. By this action, the California Corporations  
19 Commissioner seeks to freeze the assets of Defendants, to compel Defendants to disgorge  
20 profits, and to enjoin Defendants from such behavior on a permanent basis.  
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**VENUE AND JURISDICTION**

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23 2. Plaintiff, by this action and pursuant to Corporations Code §25530 and §31400,  
24 seeks to enjoin defendants: 1) from effecting transactions in securities in this state which  
25 have not been properly qualified and/or which are not exempt from qualification; 2) from  
26 offering and selling securities by means of misrepresentations or omissions of material  
27 facts; 3) from selling franchises in this state without offers of same having been registered  
28 with the Corporations Commissioner; and 4) from offering or selling franchises by means of

1 misrepresentations or omissions of material facts. Plaintiff also seeks civil penalties  
2 pursuant to Corporations Code §25535 and §31405.

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4 3. Defendant Thomas W. Hanagan aka Tom Corbin, and Does 1 through 10, inclusive,  
5 (hereinafter collectively referred to as "Tom Corbin") are natural persons residing in the  
6 County of San Benito. Tom Corbin at all times mentioned herein has engaged in unlawful  
7 activity throughout the State of California and in other states, while domiciled in the County  
8 of San Benito, State of California. The transactions, which involved violations of law  
9 hereinafter described, were conducted in various counties in the State of California,  
10 including the City and County of San Francisco and by electronic mail and over the Internet.  
11 Plaintiff is informed and believes, and thereon alleges, that Tom Corbin was the principal  
12 control person of activities involving all defendants which were intended to defraud investors  
13 and franchisees with the offer and sale of securities and franchises of Corbin Motors and  
14 CorbinMotors.com.

15 4. Defendant Jennifer J. Wilson, and Does 11 through 20, inclusive, (hereinafter  
16 collectively referred to as "Wilson") are natural persons residing in the County of San Benito,  
17 State of California. Wilson is the wife of Tom Corbin. Wilson at all times mentioned herein  
18 has engaged in unlawful activity throughout the State of California and in other states, while  
19 domiciled in the County of San Benito, State of California. The transactions, which involved  
20 violations of law hereinafter described, were conducted in various counties in the State of  
21 California, including the City and County of San Francisco and by electronic mail and over  
22 the Internet. Plaintiff is informed and believes, and thereon alleges, that Wilson has  
23 assisted and abetted Tom Corbin in unlawfully holding or disposing of assets of Corbin  
24 Motors and/or CorbinMotors.com, Inc., including the purchase of numerous pieces of real  
25 property with the assets of Corbin Motors and/or CorbinMotors.com.

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1 5. Defendant CorbinMotors.com, Inc. and Does 21 through 30, inclusive, (hereinafter  
2 collectively referred to as "CorbinMotors.com") are, and at all times mentioned herein, were  
3 corporations licensed to conduct business in the State of California with a principal place of  
4 business of Hollister, County of San Benito, State of California. Plaintiff is informed and  
5 believes, and thereon alleges, that CorbinMotors.com was utilized by Tom Corbin and other  
6 defendants to offer and sell unregistered securities in California and other states, and as an  
7 alter ego of Tom Corbin was used to defraud investors and franchisees with sales of  
8 securities and franchises.

9 6. Defendant Corbin Motors, Inc. and Does 31 through 40, inclusive, (hereinafter  
10 collectively referred to as "Corbin Motors") were at all times mentioned herein corporations  
11 licensed to conduct business in the State of California with a principal place of business of  
12 Hollister, County of San Benito, State of California. Plaintiff is informed and believes, and  
13 thereon alleges, that Corbin Motors was utilized by Tom Corbin and other defendants to  
14 offer and sell unregistered securities in California and other states, and as an alter ego of  
15 Tom Corbin was used to defraud investors and franchisees with sales of securities and  
16 franchises.

17 7. Defendant Bay City Development Corporation and Does 41 through 50, inclusive,  
18 (hereinafter collectively referred to as "Bay City") were at all times mentioned herein  
19 corporations licensed to conduct business in the State of California, with a principal place of  
20 business in San Juan Bautista, California. Defendant Wilson is the registered agent for  
21 service of process for Defendant Bay City. Plaintiff is informed and believes, and thereon  
22 alleges, that Bay City is an alter ego of Wilson and Tom Corbin, and that Bay City has been  
23 used by Wilson and Tom Corbin to unlawfully hold or dispose of assets of Corbin Motors  
24 and CorbinMotors.com.

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1 8. Defendant Michael Hanagan aka Mike Corbin and Does 51 through 60, inclusive,  
2 (hereinafter collectively referred to as "Mike Corbin") are natural persons believed to be  
3 residing in the County of San Benito, State of California. Mike Corbin at all times mentioned  
4 herein has engaged in unlawful activity throughout the State of California and in other  
5 states, while domiciled in the County of San Benito, State of California. The transactions,  
6 which involved violations of law hereinafter described, were conducted in various counties in  
7 the State of California, including the City and County of San Francisco and by electronic  
8 mail and over the Internet. Plaintiff is informed and believes, and thereon alleges, that Mike  
9 Corbin has assisted and abetted Tom Corbin in holding or disposing of assets of Corbin  
10 Motors and/or CorbinMotors.com, Inc., and in the unlawful and fraudulent sale of securities  
11 and franchises, including but not limited to times during which he acted in the capacity of a  
12 director of said entities, and in his capacity as a principal of Corbin Pacific, Inc.

13 9. Defendant Michael D'Andrea and Does 61 through 70, inclusive, (hereinafter  
14 collectively referred to as "D'Andrea") are natural persons believed to be residing in the  
15 County of San Benito, State of California. D'Andrea at all times mentioned herein has  
16 engaged in unlawful activity throughout the State of California and in other states, while  
17 domiciled in the County of San Benito, State of California. The transactions, which involved  
18 violations of law hereinafter described, were conducted in various counties in the State of  
19 California, including the City and County of San Francisco and by electronic mail and over  
20 the Internet. Plaintiff is informed and believes, and thereon alleges, that D'Andrea is and  
21 has been an officer and/or a member of the control group of Corbin Motors and  
22 CorbinMotors.com, and has assisted and abetted Tom Corbin in unlawfully holding or  
23 disposing of assets of Corbin Motors and/or Corbinmotors.com, and in the unlawful and  
24 fraudulent sale of securities and franchises.

1 10. Defendant Corbin Motors Daytona Beach, Inc. and Does 71 through 80, inclusive,  
2 (hereinafter collectively referred to as "Corbin Motors Daytona Beach") are, and at all times  
3 mentioned herein, corporations licensed to conduct business in the State of Florida. Plaintiff  
4 is informed and believes, and thereon alleges, that Corbin Motors Daytona Beach was  
5 utilized by Tom Corbin and other defendants to offer and sell unregistered securities and  
6 franchises in California and other states, and as an alter ego of Tom Corbin was used to  
7 defraud investors and franchisees with unlawful sales of securities and franchises including  
8 but not limited to by electronic mail and over the Internet, and/or to hold or dispose of  
9 assets of Corbin Motors or CorbinMotors.com.

10 11. Defendant Frank Anthony Luzi, Jr. aka Anthony Luzi and Does 81 through 90  
11 (hereinafter collectively referred to as "Luzi) are natural persons residing in the State of  
12 California, and were, at all times mentioned, an officer or control person of Corbin Motors  
13 Daytona Beach. Plaintiff is informed and believes, and thereon alleges, that Luzi has  
14 engaged in unlawful activity throughout the State of California and in other states. The  
15 transactions, which involved violations of law hereinafter described, were conducted in  
16 various counties in the State of California, including the City and County of San Francisco  
17 and by electronic mail and over the Internet. Plaintiff is informed and believes, and thereon  
18 alleges, that Luzi has assisted and abetted Tom Corbin in holding or disposing of assets of  
19 Corbin Motors and/or CorbinMotors.com, Inc, and in the fraudulent sale of securities and  
20 franchises.

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22 12 Defendants sued herein under the fictitious names Does 1 through 90, inclusive, are  
23 unknown to plaintiff who therefore sues such defendants by such fictitious names. Plaintiff  
24 will amend this complaint to show the true name of each such defendant when the same  
25 has been ascertained. Plaintiff is informed and believes, and thereon alleges, that all  
26 defendants, including the Doe defendants, were at all times mentioned, principals, agents,  
27 employers, employees, co-venturers, or co-conspirators, and were acting in their respective  
28 capacities in doing the acts complained of, thereby imputing liability to each other.

1 13. Defendants Corbin Motors and CorbinMotors.com are companies whose stated  
2 purpose was to develop, produce, and sell the Sparrow and Sparrow II, both single-seat all-  
3 electric battery-powered vehicles for use by the public, and more recently the Merlin vehicle.

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5 **FIRST CAUSE OF ACTION**

6 UNLAWFUL OFFER AND SALE OF UNQUALIFIED NONEXEMPT SECURITIES  
7 (Corporations Code §25110)  
8 AS AGAINST DEFENDANTS CORBINMOTORS.COM, CORBIN MOTORS, TOM CORBIN,  
9 MIKE CORBIN, WILSON, D'ANDREA AND LUZI

10 14. Plaintiff realleges and reincorporates herein by reference paragraphs 1 through 13,  
11 inclusive, as though set forth at length herein.

12 15. Corporations Code §25110 makes it unlawful to offer or sell nonexempt, unqualified  
13 securities. That section states in part:

14 It is unlawful for any person to offer or sell in this state any security in an  
15 issuer transaction (other than in a transaction subject to Section 25120),  
16 whether or not by or through underwriters, unless such sale has been qualified  
17 under Section 25111, 25112 or 25113 (and no order under Section 25140 or  
18 subdivision (a) of Section 25143 is in effect with respect to such qualification)  
19 or unless such security or transaction is exempted or not subject to  
20 qualification under Chapter 1 (commencing with Section 25100) of this part.

21 Corporations Code §25535 states:

22 (a) Any person who violates any provision of this law, or who violates any  
23 rule or order under this law, shall be liable for a civil penalty not to exceed  
24 twenty-five thousand dollars (\$25,000) for each violation, which shall be  
25 assessed and recovered in a civil action brought in the name of the people of  
26 the State of California by the commissioner in any court of competent  
27 jurisdiction.

28 16. Beginning at an exact date that is unknown to plaintiff, but at least since April 10,  
1999, and continuing until at least December 2002, Defendants Corbin Motors,  
CorbinMotors.com, Tom Corbin, Mike Corbin, Wilson, D'Andrea, and Luzi unlawfully offered  
and sold to more than 35 people unqualified, nonexempt securities issued by  
CorbinMotors.com and/or Corbin Motors amounting to more than \$10,000,000 (ten million  
dollars.)

17. Defendants' pattern of conduct, as set forth above and as alleged elsewhere herein,

1 demonstrates the necessity for granting injunctive and ancillary relief restraining such and  
2 similar acts in violation of §25110, and providing restitution or disgorgement to investors, as  
3 well as imposition of appropriate civil penalties.

4 WHEREFORE, Plaintiff prays for judgment as more fully set forth below.

5 **SECOND CAUSE OF ACTION**

6 UNLAWFUL OFFER AND SALE OF SECURITIES BY MEANS OF UNTRUE  
7 STATEMENTS OR OMISSIONS OF MATERIAL FACT  
(Corporations Code §25401)

8 AS AGAINST DEFENDANTS CORBINMOTORS.COM, CORBIN MOTORS, TOM CORBIN,  
9 MIKE CORBIN, WILSON, D'ANDREA AND LUZI

10 18. Plaintiff realleges and reincorporates herein by reference paragraphs 1 through 17,  
11 inclusive, as though set forth at length herein.

12 19. Corporations Code §25401 makes it unlawful to offer or sell securities by means of  
13 untrue statements or omissions of material fact. This section states:

14 It is unlawful for any person to offer or sell a security in this state or buy or  
15 offer to buy a security in this state by means of any written or oral  
16 communication which includes an untrue statement of a material fact or omits  
to state a material fact necessary in order to make the statements made, in the  
light of the circumstances under which they were made, not misleading.

17 20. Beginning at an exact date that is unknown to plaintiff, but at least since April 10,  
18 1999, and continuing until at least December 2002, Defendants Corbin Motors,  
19 CorbinMotors.com, Tom Corbin, Mike Corbin, Wilson, D'Andrea, and Luzi, and each of  
20 them, offered and sold to the investing public of California and other states public securities  
21 in the form of stock in CorbinMotors.com and Corbin Motors by means of untrue statements  
22 of material fact and omissions of material facts.

23 21. Said Defendants made misrepresentations of material facts, or omitted to state  
24 material facts to prospective investors, including but not limited to the following:

- 25 a. The investment was not high risk. In fact, the investment was very unsafe,  
26 because Corbin Motors and CorbinMotors.com have consistently been heavily  
27 in debt, and have accumulated such heavy liabilities as to seriously affect the  
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ability of those companies to produce and deliver vehicles.

b. The invested funds would be used for the purpose of developing and producing the Sparrow and Sparrow II vehicles. In fact, the defendants have shifted focus away from producing any Sparrows at all to produce other models considered more salable or profitable, leaving Sparrow purchasers and franchisees with no vehicles.

c. The company was healthy and in need of funds only to expand and grow. In fact, Corbin Motors and CorbinMotors.com have been in dire economic condition for most of their existence, and have used incoming cash primarily to pay debts and fund the lifestyles of officers and controlling persons, including defendants.

22. Defendants' pattern of conduct, as set forth above and as alleged elsewhere herein, demonstrates the necessity for granting injunctive and ancillary relief restraining such and similar acts in violation of §25401, and providing restitution or disgorgement to franchisees, as well as imposition of appropriate civil penalties.

WHEREFORE, Plaintiff prays for judgment as more fully set forth below.

**THIRD CAUSE OF ACTION**

UNLAWFUL OFFER AND SALE OF UNREGISTERED NONEXEMPT FRANCHISES  
(Corporations Code §31110)  
AS AGAINST DEFENDANTS CORBINMOTORS.COM, CORBIN MOTORS, TOM CORBIN,  
WILSON, MIKE CORBIN, D'ANDREA, CORBIN MOTORS DAYTONA BEACH, AND LUZI

23. Plaintiff realleges and reincorporates herein by reference paragraphs 1 through 22, inclusive, as though set forth at length herein.

24. Corporations Code §31110 makes it unlawful to offer or sell unregistered non-exempt franchises. That section states:

On or after April 15, 1971, it shall be unlawful for any person to offer or sell any franchise in this state unless the offer of the franchise has been registered under this part or exempted under Chapter 1 (commencing with Section 31100) of this part.

1 Corporations Code §31405 states in pertinent part:

2 (a) Any person who violates any provision of this law, or who violates any rule  
3 or order made under this law, shall be liable for a civil penalty not to  
4 exceed two thousand five hundred dollars (\$2,500) for each violation,  
5 which shall be assessed and recovered in a civil action brought in the  
6 name of the people of the State of California by the commissioner in any  
7 court of competent jurisdiction.

8 25. Beginning at an exact date that is unknown to plaintiff, but at least since April 10,  
9 1999, and continuing until at least December 2002, Defendants CorbinMotors.com, Corbin  
10 Motors, Tom Corbin, Wilson, Mike Corbin, D'Andrea, Corbin Motors Daytona Beach, and  
11 Luzi, and each of them, unlawfully offered and sold unregistered nonexempt franchises in  
12 the State of California.

13 26. Defendants' pattern of conduct, as set forth above and as alleged elsewhere herein,  
14 demonstrates the necessity for granting injunctive and ancillary relief restraining such and  
15 similar acts in violation of §31110, and providing restitution or disgorgement to franchisees,  
16 as well as imposition of appropriate civil penalties.

17 WHEREFORE, Plaintiff prays for judgment as more fully set forth below.

18 **FOURTH CAUSE OF ACTION**

19 UNLAWFUL OFFER AND SALE OF FRANCHISES BY MEANS OF UNTRUE  
20 STATEMENTS OR OMISSIONS OF MATERIAL FACT

21 (Corporations Code §31201)

22 AS AGAINST DEFENDANTS CORBINMOTORS.COM, CORBIN MOTORS, TOM CORBIN,  
23 WILSON, MIKE CORBIN, D'ANDREA, CORBIN MOTORS DAYTONA BEACH, AND LUZI

24 27. Plaintiff realleges and reincorporates herein paragraphs 1 through 27, inclusive, as  
25 though set forth at length herein.

26 28. Corporations Code §31201 makes it unlawful to offer and sell franchises by means of  
27 untrue statements or omissions of material fact. This section states:

28 It is unlawful for any person to offer or sell a franchise in this state by means of  
any written or oral communication not enumerated in Section 31200 which  
includes an untrue statement of a material fact or omits to state a material fact  
necessary in order to make the statements made, in the light of the  
circumstances under which they were made, not misleading.

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29. Beginning at an exact date that is unknown to plaintiff, but at least since April 10, 1999, and continuing until at least December 2002, Defendants CorbinMotors.com, Corbin Motors, Tom Corbin, Wilson, Mike Corbin, D'Andrea, Corbin Motors Daytona Beach, and Luzi, and each of them, offered and sold franchises in this State by means of untrue statements of material fact and omissions of material facts.

30. Said defendants made misrepresentations of material fact, or omitted to state material facts, including but not limited to the following:

- a. CobinMotors.com and Corbin Motors would provide sufficient vehicles for the franchisees to conduct viable business as dealers of the Sparrow and Sparrow II. In fact, many franchisees received no vehicles at all or received too few vehicles to conduct a viable business.
- b. CorbinMotors.com and Corbin Motors would provide repair assistance and warranty support for the dealers to service and repair vehicles sold by the franchisees. In fact, no such repair assistance and warranty support were ever provided. Vehicles with problems had to be shipped to the Hollister Corbin Motors facility, where they frequently sat for months. Plaintiff is informed and believes, and thereon alleges, that vehicles were frequently repaired by using parts taken from newly arrived vehicles with other problems.
- c. CorbinMotors.com and Corbin Motors were healthy and in need of funds only to expand and grow. In fact, Corbin Motors and CorbinMotors.com have been in dire economic condition for most of their existence, and have used incoming cash primarily to pay debts and fund the lifestyles of officers and controlling persons, including defendants.

31. Defendants' pattern of conduct, as set forth above and as alleged elsewhere herein, demonstrates the necessity for granting injunctive and ancillary relief restraining such and similar acts in violation of §31201, and providing restitution or disgorgement to franchisees, as well as imposition of appropriate civil penalties.

1 WHEREFORE, Plaintiff prays for judgment as more fully set forth below.

2 PRAYER

3 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as  
4 follows:

5 1. For a temporary restraining order and/or order of preliminary injunction  
6 restraining and enjoining all Defendants, their officers, directors, successors in interest,  
7 agents, employees, attorneys in fact, and all persons acting in concert or participating with  
8 them, or any of them, from directly or indirectly:

9 a. Violating Corporations Code §25110 by offering or selling securities  
10 without that security being qualified pursuant to the Corporate Securities Law of 1968, or  
11 unless exempt;

12 b. Violating Corporations Code § 25401 by offering or selling any  
13 securities by means of any written or oral communication which includes an untrue  
14 statement of a material fact or omits to state a material fact necessary in order to make the  
15 statements made, in light of the circumstances under which they were made, not  
16 misleading;

17 c. Violating Corporations Code §31110 by offering or selling franchises  
18 without that franchise being registered pursuant to the Corporate Securities Law of 1968, or  
19 unless exempt;

20 d. Violating Corporations Code §31201 by offering or selling franchises in  
21 this State by means of untrue statements of material fact or omissions of material facts;

22 e. Removing, destroying, mutilating, concealing, altering, transferring, or  
23 otherwise disposing of, in any manner, any books, records, documents, correspondence,  
24 brochures, manuals, or other documentation of any kind in the possession, custody or  
25 control of any of the Defendants.

26 f. Transferring, changing, disbursing, selling, dissipating, converting,  
27 pledging, assigning, foreclosing or otherwise disposing of any real or personal property or  
28 other assets, in their possession or under their control, or in the possession of, or under the

1 control of, any of them, which property or other assets are or were to be held for the benefit  
2 of defendants' investors, franchisees and/or creditors, or by any person for the benefit of  
3 any investors, franchisees and/or creditors of defendants, and each of them, whether in  
4 trust or otherwise.

5 g. Withdrawing from any bank account, transferring, changing, disbursing,  
6 selling, dissipating, converting, pledging, assigning, foreclosing, or otherwise disposing of  
7 any real property or personal property in their possession or under their control, or in the  
8 possession of, or under the control of, any of the Defendants, which property or other assets  
9 were derived or emanated from directly, or indirectly, the sale or purchase or offer to sell or  
10 purchase any security under California law;

11 2. For an Order that, pursuant to section 25535 of the Corporations Code  
12 Defendants, and each of them, individually, jointly and severally, pay to the Department of  
13 Corporations, a civil penalty in the maximum sum of \$25,000 (Twenty-five Thousand  
14 Dollars) for each act in violation of Corporations Code Section 25110, and a maximum of  
15 \$25,000 (Twenty-five Thousand Dollars) for each act in violation of Corporations Code  
16 Section 25401, as authorized by Corporations Code Section 25535.

17 3. For an Order that Defendants CorbinMotors.com, Corbin Motors, Tom Corbin,  
18 Wilson, Mike Corbin, D'Andrea, Corbin Motors Daytona Beach, and Luzi, and each of them,  
19 individually, jointly and severally, pay to the Department of Corporations, a civil penalty in  
20 the maximum sum of \$2,500 (Two Thousand Five Hundred Dollars) for each violation of  
21 Corporations Code §31110, and a civil penalty in the maximum sum of \$2,500 (Two  
22 Thousand Five Hundred Dollars) for each violation of Corporations Code §31201, as  
23 authorized by Corporations Code §31405.

24 4. That pursuant to Sections 25530(b) and 31400 (b) of the Corporations Code,  
25 defendants, and each of them, be ordered to disgorge all profits and compensation obtained  
26 as a result of the violations of law complained of herein, all in the amounts and manner  
27 provided for by law.

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1 5. For an order requiring defendants to make restitution to the investors and  
2 franchisees in the principal amount paid by each investor to whom securities were sold and  
3 each franchisee to whom a franchise was sold by means of the unlawful conduct of  
4 defendants, described herein, less the amount of any repayment of principal to any such  
5 person by any defendant named in this Complaint, with interest from the date of investment  
6 on the amount of principal contribution remaining unpaid.

7 **AS AGAINST DEFENDANTS CORBINMOTORS.COM, CORBIN MOTORS, INC., TOM**  
8 **CORBIN, JENNIFER J. WILSON, BAY CITY DEVELOPMENT CORPORATION, AND**  
9 **CORBIN MOTORS DAYTONA BEACH, INC.'**

10 1. For a Temporary Restraining Order, Preliminary Injunction and Permanent Injunction  
11 placing an immediate freeze on all funds, negotiable instruments and/or assets held in any  
12 bank or other accounts, certificates of deposit or otherwise, without limitation, in the name of  
13 or for the benefit of defendants CorbinMotors.com, Inc., Corbin Motors, Inc., Tom Corbin,  
14 Jennifer J. Wilson, Bay City Development Corporation and Corbin Motors Daytona Beach,  
15 Inc.

16 2. That plaintiff recover its costs of suit herein, including costs of investigation;

17 3. For such and further relief as the court may deem just and proper.

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20 DATED: May 7, 2003

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22 DEMETRIOS A. BOUTRIS  
California Corporations Commissioner

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24 By: \_\_\_\_\_  
25 DOUGLAS M. GOODING  
26 Corporations Counsel  
27 Attorney for the People  
28 of the State of California