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2 **STATE OF CALIFORNIA**
3 **BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY**
4 **DEPARTMENT OF BUSINESS OVERSIGHT**

5 TO: Ivan Dearaujo
6 Wazzup Energy Drink, Inc.
7 Wazzup Building
8 Madeira Street, Riverside Subdivision
9 Barangay Anunas, Angeles City
10 Pampanga, Republic of the Philippines

11 **DESIST AND REFRAIN ORDER**
12 **(For violation of section 25401 of the California Corporations Code)**

13 The Commissioner of Business Oversight finds that:

14 1. Ivan Dearaujo (“Dearaujo”) is a former resident of California and purportedly a
15 current resident of the Republic of the Philippines. Dearaujo is a control person of Wazzup Energy
16 Drink, Inc. (“Wazzup”), which advertises that it does business at the Wazzup Office Building,
17 Madeira Street, Riverside Subdivision, Barangay Anunas, Angeles City, in Pamanga, Republic of the
18 Philippines.

19 2. In 2016, Dearaujo offered securities to at least one California resident, in the form of
20 shares of stock in Wazzup, by way of cold-call telephone solicitations. Dearaujo represented that
21 Wazzup was a successful company that marketed and produced energy drinks in the Philippines.

22 3. In connection with the offer of these securities, Dearaujo and Wazzup made, or caused
23 to be made, misrepresentations of material fact and omitted to state material facts necessary in order
24 to make the statements made, in the light of the circumstances under which they were made, not
25 misleading. The omissions to state material facts included, but are not limited to, that Dearaujo did
26 not inform the California investor that, in 2007, Dearaujo was convicted in California of felony
27 violations of Corporations Code section 25401 (Misrepresentation or Omission of Material Fact in
28 the Offer or Sale of a Security) and Penal Code section 487 (Grand Theft) in connection with offering
and selling securities in California, and received a state prison sentence of four years.

1 Based upon the foregoing findings, the California Commissioner of Business Oversight
2 is of the opinion that the securities offered by Ivan Dearaujo and Wazzup Energy Drink, Inc., were
3 offered or sold in this state by means of written and oral communications which included untrue
4 statements of material facts and omitted to state material facts necessary in order to make the
5 statements made, in the light of the circumstances under which they were made, not misleading, in
6 violation of section 25401 of the California Securities Law of 1968 (“CSL”). Pursuant to section
7 25532 of the CSL, Ivan Dearaujo and Wazzup Energy Drink, Inc., are hereby ordered to desist and
8 refrain from offering or selling any security in the State of California, including but not limited to
9 investment contracts relating to Wazzup Energy Drink, Inc., by means of any written or oral
10 communication which includes an untrue statement of a material fact or omits to state a material fact
11 necessary in order to make the statements made, in the light of the circumstances under which they
12 were made, not misleading. This Order is necessary, in the public interest, for the protection of
13 investors and consistent with the purposes, policies, and provisions of the Corporate Securities Law
14 of 1968.

15 Dated: September 22, 2016
16 Sacramento, California

JAN LYNN OWEN
Commissioner of Business Oversight

17
18 By _____
19 MARY ANN SMITH
20 Deputy Commissioner
21 Enforcement Division
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