

1 MARY ANN SMITH  
Deputy Commissioner  
2 MIRANDA LEKANDER  
Assistant Chief Counsel  
3 JOANNE ROSS (State Bar No. 202338)  
Senior Counsel  
4 ALEX M. CALERO (State Bar No. 238389)  
Senior Counsel  
5 Department of Business Oversight  
1515 K Street, Suite 200  
6 Sacramento, California 95814  
Telephone: (916) 324-9687  
7 Facsimile: (916) 445-6985

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9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
10 OF THE STATE OF CALIFORNIA  
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12 In the Matter of: ) CRD NOS.: 136082, 2956667  
13 THE COMMISSIONER OF BUSINESS )  
14 OVERSIGHT, ) ORDER TO DISCONTINUE VIOLATIONS  
15 ) PURSUANT TO CORPORATIONS CODE  
16 ) SECTION 25249  
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To: Joseph F. Diez  
Alii Consulting  
182 Howard Street #254  
San Francisco, CA 94105

Jan Lynn Owen, the Commissioner of Business Oversight ("Commissioner") of the Department of Business Oversight ("Department") finds that:

1. Joseph Diez, doing business as Alii Consulting ("Alii"), has violated the following regulations promulgated pursuant to the Corporate Securities Law of 1968 (Corp. Code § 25000 et seq.):

a. Corporations Code section 25238 and California Code of Regulations, title 10,

1 section 260.238, subdivisions (h) and (o), by using advisory agreements that did not reflect the  
2 services being provided to certain clients, including the management of client assets on a non-  
3 discretionary basis through a securities brokerage, and by the failure of Diez and Alii to provide a  
4 financial plan to certain clients.

5 b. Corporations Code section 25241 and California Code of Regulations, title 10,  
6 section 260.241.3, subdivision (a)(10), by failing to make and keep true, accurate, current written  
7 agreements with all clients.

8 c. Corporations Code section 25241 and California Code of Regulations, title 10,  
9 section 260.241.4, subdivisions (a) and (e), by repeatedly failing to file annual amendments to  
10 update Part 2 of Form ADV for the years 2009 through 2013. Further, Diez and Alii failed to  
11 implement the new Part 2 brochure format after the new format became required. Even after being  
12 advised by the Department in writing that Diez and Alii needed to implement the new Part 2  
13 brochure format, Diez and Alii still updated the Part 2 brochure utilizing the outdated format.

14 NOW, BASED UPON THE FOREGOING, AND GOOD CAUSE APPEARING, it is hereby  
15 ORDERED, under the provisions of Corporations Code section 25249, that Diez and Alii,  
16 discontinue violating Corporations Code sections 25238 and 25241 and California Code of  
17 Regulations, title 10, sections 260.238, subdivisions (h) and (o); 260.241.3, subdivision (a)(10); and  
18 260.241.4, subdivisions (a) and (e). This order shall become effective immediately, but shall not  
19 become final except in accordance with the provisions of Corporations Code section 25251.

20 Dated: February 3, 2017  
21 Sacramento, California

JAN LYNN OWEN  
Commissioner of Business Oversight

22 By: \_\_\_\_\_  
23 MARY ANN SMITH  
24 Deputy Commissioner

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