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LEGAL PROCESS #1

8 Attorneys for the People of the State of California

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF SACRAMENTO

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

14 Plaintiff,

15 vs.

16 Eurobrand, Inc., Samuel & Cohen Media, LLC.,
17 Mintech International, Inc., Daniel Cohen,
individually, and DOES 1 through 20, inclusive.

18 Defendants.

Case No. **07AS02200**

NOTICE OF EX PARTE APPLICATION
AND APPLICATION FOR TEMPORARY
RESTRAINING ORDER; ASSET FREEZE;
APPOINTMENT OF RECEIVER; AND
MEMORANDUM OF POINTS AND
AUTHORITY IN SUPPORT

(Corporations Code section 25110, 25401,
25530, 25535)

DATE:
TIME:
DEPT:
TRIAL DATE: None set

21 TO ALL PARTIES AND COUNSEL:

22 YOU ARE HEREBY NOTIFIED that EX PARTE AND WITHOUT NOTICE TO ANY
23 DEFENDANT, on the date and time and in the Department set forth above, Preston DuFauchard,
24 California Corporations' Commissioner for the State of California, acting in the name of the People
25 of the State of California, will apply to the Court, for an Order Appointing a Receiver and an Order
26 issuing a Temporary Restraining Order barring defendants, Eurobrand, Inc., Samuel & Cohen Media,
27 LLC., Mintech International, Inc., and Daniel Cohen, individually, and DOES 1 through 20 from
28 operating any type of business related to or involved with the offer and sale of securities in the State

1 of California, for an Order freezing all assets of defendants including, but not limited to, any personal
2 property, corporations, fictitious business entities, or real property trusts in which defendants have
3 any interest or controlling interest or right of operational control, and all related bank accounts, and
4 for an Order appointing a receiver to take control of the assets of defendants and the business entities
5 in which they have control or operational control, to be held for the benefit of investors. Without
6 these Orders, irreparable injury will occur to the citizens of California.

7 This request is made on behalf of the People of the State of California on information and on
8 belief by the Commissioner that defendants, have been and are currently involved in the offer and
9 sale of unqualified, non-exempt securities in the State, are offering and selling the securities without
10 being appropriately licensed, are offering and selling the securities based on material
11 misrepresentations and omissions of fact, and are violating the Commissioner's desist and refrain
12 order issued on February 6, 2006 (Commissioner's Order) in violation of the Corporate Securities
13 Law. Defendant and primary control person, Daniel Cohen, operates a boiler room openly and in
14 defiance of the Corporate Securities Law and the Commissioner's order, and continues to solicit
15 investors in California. Without these Orders, defendants will undoubtedly continue their illegal
16 activities unabated, with substantial injury to the People of the State of California.

17 The requested orders are necessary to preserve any property, money, business interests or real
18 property which may exist, so that upon proof of the illegal activities of defendants, investors may
19 participate in a return of at least some of their investment.

20 Dated: May 11, 2007

21 Preston DuFauchard
22 California Corporations Commissioner

23 By: _____
24 MARY ANN CLARK
25 Attorney for the People of the
26 State of California

27 By: _____
28 ERIK BRUNKAL
Attorney for the People of the
State of California

MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF APPLICATION FOR:

A Temporary Restraining Order And Preliminary Injunction As Follows:

- 1) Barring Defendants From The Offer Or Sale Of Unqualified Non-Exempt Securities;
- 2) Barring Defendants From The Offer Or Sale Of Securities By Means Of Misrepresentations Or Omissions Of Material Facts
- 3) Barring Defendants From Violating The Commissioner's Desist And Refrain Order Issued On February 6, 2006
- 4) Issuing An Order Freezing All Business And Personal Assets And Companies Related To Or Controlled By Defendants; And
- 5) Appointing A Receiver To Take Control Of Assets For The Benefit Of Consumers And/Or Victims Of Defendants' Unlicensed Activities.

A. STATEMENT OF FACTS

The People of the State of California, by and through the California Corporations Commissioner (the Commissioner), seek an ex parte Order, without notice to defendants, appointing a receiver to preserve assets illegally obtained, to prevent the destruction of books and records, and an Order issuing a Temporary Restraining Order to prevent ongoing and continuing violations of the California Securities Law of 1968. *Corporations Code section 25000 et seq.* ("CSL").

This case involves an ongoing scheme by defendants to offer and sell securities in violation of the CSL by soliciting investments in the form of stock in Eurobrand, Inc., Samuel & Cohen Media, LLC, and Mintech International, Inc. Defendants have their principal place of business in Los Angeles County, California, but offer and sell securities throughout the state of California including Sacramento County.

Securities must be qualified with the Department of Corporations. The defendants offered and sold stock, which are securities under Corporations Code section 25019. Defendants filed exemption notices with the Department of Corporations for Samuel & Cohen Media, LLC and Eurobrand, Inc., however the exemption does not apply. The securities offered and sold by defendants were not qualified as required by section 25110. The offer and sale of securities referred to herein were not

1 exempt from the requirement of qualification under section 25110. (*Exhibit 1, Certification from the*
2 *Department of Corporations re: qualification.*)

3 On October 31, 2005, Paula Harrison filed a Civil RICO suit against Ronald Samuel, Daniel
4 Cohen, and Samuel & Cohen Media, LLC (among others) in the Southern District of New York. Ms.
5 Harrison claims the idea for UNLeashed Magazine was all her own. In her complaint, Ms. Harrison
6 alleges that Ron Samuel and Daniel Cohen committed a series of crimes, including drug dealing (the
7 distribution of MDMA, aka Ecstasy) and money laundering. With the monetary proceeds of these
8 crimes, Samuel and Cohen were attempting to steal the magazine from her. (*Exhibit 2, First*
9 *Amended Complaint and Jury Demand, USDC (So. Dist. N.Y.) no. 05-CV-8914.*)

10 On February 6, 2006, the Commissioner issued a desist and refrain order (the Commissioner's
11 order) against defendants, Daniel Cohen, individually, and Eurobrand, Inc. for selling unqualified
12 securities. (*Exhibit 3, California Department of Corporations Desist and Refrain Order dated*
13 *February 6, 2006 and proof of personal service.*) The order specifically found that Daniel Cohen
14 called potential investors with whom he had no previous relationship and sought investments in
15 Eurobrand, Inc. which is not a qualified security with the State of California. (*Ex. 2.*) The order was
16 personally served on Daniel Cohen on February 15, 2006, and was immediately in effect. (*Ex. 2.*)
17 Daniel Cohen and Eurobrand, Inc. failed to challenge the order within thirty days of service and as a
18 result the order is final.

19 On April 27, 2006, the Alabama Securities Commission issued a Cease and Desist Order
20 against Samuel & Cohen Media, LLC, UNLeashed Magazine, Daniel Cohen, Ron Samuel and Joseph
21 Magmoon for calling potential Alabama investors with whom there was no previous relationship and
22 seeking investments in Samuel & Cohen Media, LLC. Due to the general solicitation of investors,
23 the exemption filed by Samuel & Cohen Media, LLC was void. (*Exhibit 4, Alabama Securities*
24 *Commission Cease and Desist Order dated April 27, 2006.*)

25 On May 8, 2006 Ron Samuel, of Samuel & Cohen Media, LLC was arrested and charged by
26 federal authorities with, among other things, conspiracy to import MDMA ("Ecstasy") and running a
27 criminal enterprise. (*Exhibit 5, Excerpts of Criminal Docket.*) Ron Samuel was never released from
28 jail after that date. He later pled guilty to running a criminal enterprise and now faces a lengthy

1 prison sentence. (*Exhibit 6, Change of Plea Form.*)

2 Defendants purposely misled and defrauded investors by failing to disclose material facts,
3 including the desist and refrain order issued by the Commissioner, failing to disclose the criminal
4 charges against Ron Samuel, failing to disclose the Civil RICO suit, and failing to disclose the cease
5 and desist order issued by the state of Alabama, while continuing to solicit investments in Eurobrand,
6 Inc. and Samuel & Cohen Media, LLC. (*Exhibit 7, Declarations of Robert Downer, Roger Godic,*
7 *Mark Hedburg, and Walt Stickel.*) These material misrepresentations and omissions were made in
8 direct violation of Corporations Code section 25401.

9 Defendant, Daniel Cohen, operates a boiler room in which the employees call potential
10 investors with whom no preexisting relationship exists, and offer and sell unqualified securities in the
11 form of stock in Eurobrand, Inc., Samuel & Cohen Media, LLC., Mintech International, Inc, and
12 others. (*Exhibit 8, Declaration of Aaron Ward.*) Defendant, Daniel Cohen, through the operation of
13 his boiler room, promises investors high returns in Eurobrand, Inc., Samuel & Cohen Media, LLC.,
14 and Mintech International, Inc. (*Ex. 7.*) These sales occurred from about January, 2001, to the
15 present and are continuing.

16 The boiler room activities and most control activities related to the investments, took place at
17 the Agoura Road address in Calabasas, California, and offer and sales were made throughout
18 California including Sacramento County. (*Ex. 8.*)

19 From January, 2001, to the present, Daniel Cohen's boiler room raised money from more than
20 250 investors totaling well over five million dollars in investment money. Defendants' own
21 documents show two separate offerings of Eurobrand, Inc. (one offering for \$3,000,000 and a second
22 offering for \$10,000,000), a \$3,000,000 offering for Mintech International, Inc., and two separate
23 offerings for Samuel & Cohen Media, LLC at least one for \$6,000,000. (*Exhibit 9, Offering*
24 *Memorandums.*) One investor alone invested \$600,000 in defendants' offerings, and was refused a
25 return of his money. (*Ex. 7, Downer Declaration.*) Although some investors have been paid lulling
26 money over the years, many investors are owed, hundreds and thousands of dollars in promised
27 returns and even more in principal.

28 California investors continue to risk losing their money. Plaintiff is informed that the

1 business operations continue uninterrupted as of the date of this Application.

2 Defendants are currently engaged in an ongoing business that offers and sells unqualified,
3 non-exempt securities to the general public. (Ex. 8.) Defendants offer and sell these illegal securities
4 based on misrepresentations or omissions of material facts, and in violation of the Commissioner's
5 Order. The entire business operation is in violation of the Corporate Securities Laws, including
6 Corporations Code sections 25110 and 25401 and also is in violation of the Commissioner's Order.
7 An injunction should issue and the Court should appoint a receiver and freeze the assets of
8 defendants and their related businesses.

9 **B. SUMMARY OF ARGUMENT**

10 Plaintiff seeks to enjoin defendants from offering or selling unqualified non-exempt securities
11 in violation of section 25110 of the Corporate Securities Law of 1968 (*Corporations Code sections*
12 *25000, et seq.*) None of the securities sold by defendants were qualified.

13 Further, in connection with the offer and sale of these securities, defendants violated an order
14 of the Commissioner, made misrepresentations, and omitted material facts in violation of
15 Corporations Code section 25401. Plaintiff seeks to enjoin defendants from continuing to violate
16 Corporations Code sections 25110, 25401 and the Commissioner's Order.

17 Plaintiff seeks a temporary restraining order, preliminary and permanent injunction, asset
18 freeze, and appointment of a receiver, and, further, pursuant to Corporations Code section 25530, an
19 Order of restitution and disgorgement and, finally, pursuant to Corporations Code section 25535, the
20 imposition of civil penalties in the amount of \$25,000 per violation of the securities law.

21 **C. LAW AND ARGUMENT**

- 22 1. An injunction should issue to prevent continuing violations of the Corporate
23 Securities Laws. Plaintiff is not required to allege or prove the usual equitable
24 considerations in bringing an action for injunction under California Securities
25 Law section 25530.

26 Corporations Code 25530(a) authorizes the Commissioner to bring this action for injunctive
27 and ancillary relief whenever it appears that any person has engaged or is about to engage in any
28 violation under the CSL. Where an injunction is authorized by statute to protect the public interest,

1 the usual equitable considerations, such as inadequacy of legal remedy, irreparable harm, and
2 balancing of interests are irrelevant and it is not necessary to allege or prove them. *Porter v. Fiske*
3 (1946) 74 Cal.App.2d 332, 338.

4 The California Supreme Court in *IT Corp. v. County of Imperial* (1983) 35 Cal.3d 63, 72,
5 states the proper standard to be applied when a governmental entity seeks to enjoin alleged violations
6 of a statute as follows:

7 Where a governmental entity seeking to enjoin the alleged violation of an ordinance,
8 which specifically provides for injunctive relief establishes that it is reasonably
9 probable it will prevail on the merits, a rebuttable presumption arises that the potential
10 harm to the public outweighs the potential harm to the defendant... (Emphasis added.)

11 Here, plaintiff has provided substantive evidence, through the declarations attached hereto,
12 that defendants have committed countless violations of CSL sections 25110 and 25401 and the
13 Commissioner's order. The Court can and should grant the injunctive and ancillary relief prayed for.

14 2. Defendants offered and sold unqualified non-exempt securities in violation of
15 Corporations Code section 25110.

16 CSL section 25110 makes it unlawful for any person to offer or sell in this state any security
17 in an issuer transaction unless such sale has been qualified under the CSL or unless such transaction
18 is exempted from qualification.

19 Corporations Code section 25019 defines the term "security", in relevant part, as follows: "...
20 any ... stock ... or in general, any interest or instrument commonly known as a 'security' All
21 of the foregoing are securities whether or not evidenced by a written document ..."

22 Stocks are expressly defined as securities under CSL section 25019. Individuals invested money in
23 stock in Eurobrand, Inc., Samuel & Cohen Media, LLC., and Mintech International, Inc., which was
24 supposed to return a very high profit. (*Ex. 7 and 9*). Defendants filed exemption notices for Samuel
25 & Cohen Media, LLC and Eurobrand, Inc. However, defendants do not qualify for the claimed
26 exemptions because defendants conducted general solicitations of investors.

27 The United States Supreme Court found that "an instrument bearing the name "stock" that,
28 among other things, is negotiable, offers the possibility of capital appreciation, and carries the right to
dividends contingent on the profits of a business enterprise is plainly within the class of instruments

1 Congress intended the securities laws to cover.” *Landreth Timber Co. v. Landreth* (1985) 471 U.S.
2 681, 105 S.Ct. 2297, 85 L.Ed.2d 692.

3
4 CSL section 25163 provides that the burden of proving an exemption is on the person
5 claiming it. See also *People v. Park* (1978) 87 Cal. App. 3d 550, 556-557 [state did not bear burden
6 of proving lack of private offering exemption in prosecution under section 25110]. Finally, it is
7 incumbent upon the person offering or selling a security to determine whether qualification is
8 required. *Towne v. Friedrich* (1982) 207 Cal.App.2d 205, 211-212.

9 Defendants have violated CSL section 25110 numerous times, and will continue to do so
10 unless enjoined by this court.

- 11 3. Defendants violated the anti-fraud provisions of Corporations Code section 25401 by
12 failing to disclose the Commissioner’s order and making misrepresentations of
13 material facts or omitting material facts in the offer and sale of securities in this state.

14 It unlawful for any person to offer or sell any security by means of any untrue statement or
15 omission of material fact. Corporations Code section 25401.

16 In *People v. Simon* (1995) 9 Cal.4th 493, the court stated that such misrepresentations or
17 omissions need not be knowing:

18 An enforcement action by the commissioner to enjoin future sales by means of false or
19 misleading statements is designed to protect the public. *People v. Pacific Land*
20 *Research Co.* (1977) 20 Cal.3d 10, 17 [141 Cal.Rptr. 20, 569 P.2d 125]; *People v.*
21 *Martinson* (1986) 188 Cal.App.3d 894, 899 [233 Cal.Rptr. 617].) For that reason, it is
22 irrelevant that the defendant knows that the statements or omissions are false or
23 misleading. In light of the language of section 25401, it is reasonable to conclude that
24 the Legislature did not intend to permit members of the public to be harmed by such
25 sales simply because the offeror was unaware that his or her sales pitch was
26 misleading. [*Id.*, at 515-516.]

27 Section 25401 does not require that a misrepresentation or omission be made knowingly and
28 the express wording of section 25401 contains no requirement of proof of intended reliance by a
person to whom the statement is made. As a result, section 25401 differs from common law fraud in
that no proof of reliance is required. *Bowden v. Robinson* (1977) 67 Cal.App.3d 705, 715.

Finally, the misrepresentation or omission must be made with regard to a material fact. Under
section 25401, a fact is “material” if there is a substantial likelihood that, under all the circumstances,

1 a reasonable investor would consider it important in reaching an investment decision. *Insurance*
2 *Underwriters Clearing House, Inc. v. Natomas Co.* (1986) 184 Cal.App.3d 1520, 1526.

3 Defendants have, in connection with offer or sale of stocks, failed to tell investors that Daniel
4 Cohen, and Eurobrand, Inc. were subject to a desist and refrain order issued by the California
5 Department of Corporations, failed to tell investors that Ron Samuel of Samuel & Cohen Media, LLC
6 was indicted and eventually pled guilty to running a criminal conspiracy, failed to tell investors that
7 Daniel Cohen, Ron Samuel and Samuel & Cohen Media were subject to a Cease and Desist Order
8 issued by the State of Alabama, and also defendants in a civil RICO suit in federal court.

9 Exemptions from the requirement of qualification of the sale of securities do not apply to
10 sales that are conducted in violation of the antifraud provisions of the CSL. The sale of securities by
11 means of a material misrepresentation or omissions of material facts is unlawful, even if the sale of
12 securities would otherwise be exempted from qualification. In *People v. Smith* (1989) 215
13 Cal.App.3d 230, 235-236, the court found that “[i]n contrast to the qualification requirements, the
14 prohibition against making false or misleading statements in the offer or sale of securities does not
15 contain exemptions (section 25401), and so is applicable to the offer or sale of all securities, whether
16 public or not.”

17 Defendants have repeatedly violated section 25401, and will continue to do so unless enjoined
18 by this court.

19 4. Defendants violated the California Corporations Commissioner’s Order filed
20 on February 6, 2006.

21 Corporations Code section 25532 permits the Commissioner to issue a desist and refrain order
22 when it is the commissioner’s opinion that such security is subject to qualification. On February 6,
23 2006 the Commissioner issued a desist and refrain order against defendants, Daniel Cohen,
24 individually, and Eurobrand, Inc. for selling unqualified securities.

25 Accordingly, pursuant to Corporations Code section 25530 the Commissioner may bring an
26 action in the name of the people of the State of California when it appears that a person has engaged
27 in any act or practice that violates any order under the Corporations Code.

1 Daniel Cohen and his boiler room continue to call potential investors with whom he has no
2 previous relationship and seek investments in direct violation of the Commissioner's order.

3 5. Appointment of a receiver is necessary and proper to protect investors.

4 As discussed above, plaintiff need not allege or prove the usual equitable considerations when
5 bringing an action authorized by statute. *IT Corp. v. County of Imperial, supra*, 35 Cal.3d 63.

6 Corporations Code section 25530 authorizes the appointment of a receiver upon a proper
7 showing when "any person has engaged, or is about to engage, in any act or practice constituting a
8 violation of any provision" of the CSL. The evidence that accompanies this Application documents
9 the serious violations of the CSL. Even after the Commissioner issued a desist and refrain order
10 against Daniel Cohen and Eurobrand, Inc. defendants have continued to openly operate the boiler
11 room in California and solicit and accept investment money from California citizens, in spite of the
12 Commissioner's order.

13 Defendants' egregious conduct and continuous disregard for the laws of California necessitate
14 the appointment of a receiver on terms and conditions as are detailed in the accompanying Order.
15 Plaintiff has documented at least 250 investors who collectively have invested at least \$5.5 million.
16 Indeed, defendants' own documents reflect that Daniel Cohen's boiler room is selling oil rig leasing
17 ventures and other unqualified securities. If a receiver is not appointed to take control of the
18 businesses and possession of the business assets, it is likely that defendants will shut the operation
19 down and move the money to banks outside the reach of this Court.

20 Appointment of a receiver has been upheld in cases where a prima facie showing was made of
21 fraud in connection with the sale of securities to the public. *Securities and Exchange Comm'n v.*
22 *Keller Corporation* (1963) 323 F.2d 397. In addition, "a receiver is permissible and appropriate
23 where necessary to protect the public interest and where it is obvious . . . that those who have
24 inflicted serious detriment in the past must be ousted." *Securities and Exchange Comm'n v. Bowler*
25 (1970) 427 F.2d 190, 198.

26 Courts also have ordered the appointment of a receiver where "no injunction [the court] could
27 frame would cure for the past or prevent in the future the mismanagement and illegalities found in the
28 operation of the defendant . . . to the detriment of the mostly unsophisticated investors to whom it has

1 sold and again proposes to sell." *Securities and Exchange Comm'n v. Heritage Trust* (1975) 402
2 F.Supp. 744, 753. That is the case here.

3 In the present case, there is significant evidence to support the allegations that defendants
4 have engaged and continue to engage in illegal securities transactions. In spite of the fact that the
5 Commissioner has issued a desist and refrain order against the primary control person, Daniel Cohen,
6 he continues to operate the identical business openly throughout the state of California and in
7 defiance of the Corporate Securities Law. Such blatantly illegal activity coupled with defendants'
8 deliberately fraudulent practices compels the appointment of a receiver. In order to maintain the
9 status quo and protect what remains of investors' money, the appointment of a receiver is necessary.
10 Defendants cannot be relied upon to comply with any temporary restraining order or other injunction
11 without dissipating the assets rightfully belonging to investors.

12 6. A Receiver should be appointed ex parte, without notice.

13 The issuance of an ex parte order, without notice, appointing a receiver is imperative to
14 prevent defendants from transferring their cash assets offshore, thereby ensuring that some level of
15 restitution can be made to defendants' victims, and that records pertaining to the illegal activities are
16 preserved. The extraordinary amount of money fraudulently and illegally obtained, and the existence
17 of numerous business entities and involved individuals, indicates that recovering any funds is
18 unlikely if a receiver is appointed on a noticed motion, or even a noticed ex parte hearing.
19 Undoubtedly, defendants will abscond with all investors' funds and destroy evidence of their illegal
20 activities if they are put on notice of an impending injunction or receivership. The total loss for only
21 250 investors between January 2001 and today is approximately \$5.5 million.

22 Preliminary investigations revealed that Daniel Cohen is violating the desist and refrain order
23 issued by the Department of Corporations on February 6, 2006, by soliciting investors through cold
24 calls from his boiler room for investments in Eurobrand, Inc., Samuel & Cohen Media, LLC, and
25 Mintech International, Inc. Daniel Cohen continues to use his boiler room to take investors' money
26 without disclosing he is the subject of a desist and refrain order.

27 The investigation further revealed that Daniel Cohen is using his boiler room to sell
28 unqualified securities in Eurobrand, Inc., Mintech International, Inc and Samuel & Cohen Media,

1 LLC. Given the extraordinary amount of money involved and defendants' demonstrated contempt
 2 for California law and judicial systems, an ex parte, no notice, appointment of a receiver appears to
 3 be the only viable option for halting these illegal activities and providing a reasonable chance of
 4 recovering investor funds.

5 7. Ex parte appointment of receiver is proper in this case.

6 In *People v. Christ's Church* (1947) 79 Cal.App.2d 858, the court held that a church president
 7 was properly removed and replaced with a receiver, ex parte, after the attorney general filed an action
 8 alleging misappropriations and misapplications of church funds and unauthorized expenditures. In
 9 *Misita v. Distillers Corp., Ltd.* (1942) 54 Cal.App.2d 244, 250, the court stated, citing *Lent v. H.C.*
 10 *Morris Co.*, (1938) 25 Cal.App.2d 305, "the appointment of a receiver may be made 'ex parte' and
 11 without notice if the 'imperative necessity' or emergency is shown in the petition or supporting
 12 affidavits."

13 "[G]enerally the granting of such orders [ex parte appointment of receivers] rests in the sound
 14 discretion of the trial court..." *Christ's Church, supra*, at 861, citing *Misita, supra*. Plaintiff
 15 respectfully requests that the court exercise its discretion and appoint a receiver, ex parte.

16 D. CONCLUSION.

17 The evidence filed with this Application demonstrates that the defendants have engaged in a
 18 blatant and ongoing pattern of violating Corporation Code sections 25110 and 25401 and the
 19 Commissioner's Order. Plaintiff requests that this Court grant the injunctive relief by issuing a
 20 temporary restraining order, freezing all assets over which defendants have ownership or control,
 21 Order that a receiver be appointed ex parte, with no notice to defendants, and grant the ancillary relief
 22 requested and prayed for in the complaint in order to protect the public and prevent further harm to
 23 the investors.

24 Pursuant to California Rules of Court Rule 379(d)(1), the address and telephone number for
 25 all parties known to the Plaintiff are as follows:

- 26 1. Daniel Cohen
 26565 Agoura Road, Calabasas, California
 27 Telephone:
 28 2. Eurobrand, Inc.
 26565 Agoura Road, Calabasas, California

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- 3. Samuel & Cohen Media, LLC
26565 Agoura Road, Calabasas, California
- 4. Mintech International, Inc.
26565 Agoura Road, Calabasas, California

DATED: May 11, 2007

Preston DuFauchard
California Corporations Commissioner

By: _____
MARY ANN CLARK
Attorney for the People of the
State of California

By: _____
ERIK BRUNKAL
Attorney for the People of the
State of California