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8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

11 In the Matter of:)
12 THE COMMISSIONER OF BUSINESS)
OVERSIGHT,) FINAL ORDER LEVYING
13) ADMINISTRATIVE PENALTIES PURSUANT
Complainant,) TO CORPORATIONS CODE SECTION 25252
14 v.)
15 LARRY YNFANTE, and INTELA-PAC, INC.,)
16 doing business as INTELA-PAC,)
17 Respondents.)
18)

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

21 I.
22 **STATEMENT OF FACTS**

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24 1. At all relevant times, IntelA-Pac, Inc. doing business as IntelA-Pac, ("IPI") is a Nevada
25 corporation with a principal place of business at 8550 W. Desert Inn Road, Suite 102-151, Las Vegas,
26 Nevada, 89117-4401 and at 4001 Mount Barnard Avenue, San Diego, California, 92111. IPI
27 conducts business by personal contact, telephone number (702) 606-0566, and email at
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1 larryn@yahoo.com. IPI produces biodegradable or “ecofriendly” bags, packaging, and pouches for
2 various consumer purposes.

3 2. Larry Ynfante (“Ynfante”) asserts to investors that he is a representative and president
4 of IPI also doing business at 4001 Mount Barnard Avenue, San Diego, California, 92111. Ynfante
5 conducts business on behalf of IPI by personal contact, telephone number (702) 606-0566, and email
6 at larryn@yahoo.com. IPI and Ynfante are collectively referred to herein as “Respondents.”

7 Whenever reference is made herein to “Respondents” doing any act, the allegation shall mean the act
8 of each respondent acting individually, jointly and severally.

9 3. The Department of Business Oversight (“Department”) issued a Desist and Refrain
10 Order to Respondents for violations of Corporations Code sections 25110 and 25401 on November 6,
11 2015 (“2015 Action”). Respondents did not request an administrative hearing. The 2015 Action
12 became final on or about December 12, 2015.

13 4. In April 2016, Respondents again offered promissory notes to at least one consumer
14 residing in southern California, in violation of the 2015 Action. The terms of the investment are as
15 follows: Investor pays to Respondents at least two thousand five hundred dollars (\$2,500.00) for the
16 purpose of investing in IPI in exchange for a profit. Respondents stated to at last one California
17 resident, “put in \$2,500.00 and make a chunk of change.” The promissory notes offered and sold by
18 Respondents are securities subject to qualification under the Corporate Securities Law of 1968
19 (“CSL”) (Corp. Code, § 25000 et seq.).

20 5. Beginning in April 2016, Respondents offered the above described securities in
21 California in issuer transactions. The Department has not issued a permit or other form of
22 qualification authorizing any person to offer and sell these securities in the form of promissory notes.

23 6. Beginning in April 2016, in connection with the offer and sale of these securities,
24 Respondents made, or caused to be made, misrepresentations of material fact or omitted to state
25 material facts necessary in order to make the statements made, in the light of the circumstances under
26 which they were made, not misleading.

27 7. Specifically, Respondents failed to disclose the 2015 Action to at least one California
28 resident while offering the promissory notes in IPI.

1 12. Also based on the foregoing findings of fact, as set forth fully above in paragraphs 1-8,
2 Respondents willfully violated Corporations Code section 25401 by making untrue statements or
3 omissions in association with the offer and sale of securities in the form of promissory notes in
4 California and elsewhere, to at least one investor.

5 **WHEREFORE**, good cause showing, and pursuant to Corporations Code section 25252, the
6 Commissioner prays for an order levying administrative penalties of \$1,000.00 for the first violation
7 of Corporations Code section 25110 and \$2,500.00 for each subsequent violation of the CSL against
8 Respondents Larry Ynfante, and Intela-Pac, Inc., doing business as IntelA-Pac jointly and severally,
9 as follows:

10 a) First violation: \$1,000.00 for the violation of Corporations Code section
11 25110; and

12 b) Second violation: \$2,500.00 for the violation of Corporations Code section
13 25401.

14 **NOW, GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:**

15 The total amount of administrative penalties for Respondents’ violations of Corporations
16 Code sections 25110 and 25401 is \$3,500.00. Administrative penalties shall be payable by check to
17 the Department of Business Oversight, to the attention of Counsel Marisa I. Urteaga-Watkins, at
18 1515 K Street, Suite 200, Sacramento, California 95814, within 30 calendar days from the date the
19 administrative penalties are deemed final. These administrative penalties are necessary, in the
20 public interest, for the protection of consumers, and are consistent with the purposes, policies, and
21 provisions of the CSL.

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This Final Order Levying Administrative Penalties is the final decision of the Commissioner pursuant to Corporations Code section 25252.

Dated: December 20, 2016
Sacramento, California

JAN LYNN OWEN
Commissioner of Business Oversight

By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division