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**STATE OF CALIFORNIA**  
**BUSINESS, TRANSPORTATION AND HOUSING AGENCY**  
**DEPARTMENT OF CORPORATIONS**

TO: Impact Cash LLC  
Gary R. Henrie  
Ratha C. Leuk  
1551 Renaissance Towne Dr., Suite # 560  
Bountiful, UT 84010

**DESIST AND REFRAIN ORDER**

**(For violations of section 23005 of the California Financial Code)**

The California Corporations Commissioner finds that:

1. Impact Cash LLC (“Impact”) is, and was at all relevant times herein, a Utah limited liability company, with its principal place of business located at 1551 Renaissance Towne Dr., Suite # 560, Bountiful, UT 84010.
2. Gary R. Henrie (“Henrie”) is, and was at all relevant times herein, a control person of Impact.
3. Ratha C. Leuk (“Leuk”) is, and was at all relevant times herein, a control person of Impact.
4. Impact, Henrie, and Leuk engage in the business of originating, or offering to originate deferred deposit transactions (commonly referred to as “payday loans”) over the Internet to the general public, including California residents.
5. A deferred deposit transaction is a written transaction whereby one person gives funds to another person upon receipt of a personal check, and it is agreed that the personal check would not be deposited until a later date. “Personal check” referenced in Financial Code section 23001 includes “the electronic equivalent of a personal check”.
6. During March 2008, Impact originated a deferred deposit transaction with at least one California resident through the website [www.impactcashusa.com](http://www.impactcashusa.com), which authorized Impact to electronically debit the borrower’s account by means of an Automated Clearing House with the loan amount, fees and charges, on the due date.

1 7. Impact, Henrie, and Leuk have not been issued a license by the California  
2 Corporations Commissioner authorizing it to engage in the business of originating deferred deposit  
3 transactions under the California Deferred Deposit Transaction Law (California Financial Code §  
4 23000 et seq.).

5 8. Impact, Henrie, and Leuk are not exempt from the licensing requirements of  
6 California Financial Code section 23005.

7 9. By reason of the foregoing, Impact Cash, Gary R. Henrie, and Ratha C. Leuk has  
8 engaged in the business of originating or offering to originate deferred deposit transactions without  
9 having first obtained a license from the California Corporations Commissioner in violation of  
10 California Financial Code section 23005.

11 Pursuant to California Financial Code section 23050, Impact Cash, Gary R. Henrie, and  
12 Ratha C. Leuk are hereby ordered to desist and refrain from engaging in the business of deferred  
13 deposit transactions, including but not limited to, originating or offering to originate deferred deposit  
14 transactions in the State of California without first obtaining a license from the California  
15 Corporations Commissioner, or otherwise being exempt. This Order is necessary, in the public  
16 interest, for the protection of consumers and is consistent with the purposes, policies and provisions  
17 of the California Deferred Deposit Transaction Law. This order shall remain in full force and effect  
18 until further order of the Commissioner.

19 California Financial Code section 23050 provides

20 Whenever, in the opinion of the commissioner, any person is engaged in the  
21 business of deferred deposit transactions, as defined in this division, without  
22 a license from the commissioner. . . the commissioner may order that person  
23 or licensee to desist and to refrain from engaging in the business . . . If, within  
30 days, after the order is served, a written request for a hearing is filed and no  
hearing is held within 30 days thereafter, the order is rescinded.

24 Dated: June 27, 2008  
25 Los Angeles, California

26 PRESTON DuFAUCHARD  
California Corporations Commissioner

27 By \_\_\_\_\_  
28 ALAN S. WEINGER  
Acting Deputy Commissioner