

1 PRESTON DuFAUCHARD
California Corporations Commissioner
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10 BEFORE THE DEPARTMENT OF CORPORATIONS
11 OF THE STATE OF CALIFORNIA

13 In the Matter of) OAH CASE NO. 2008060126
14)
15 THE CALIFORNIA CORPORATIONS)
COMMISSIONER,)
16) **ORDER WITHDRAWING NOTICE OF**
Complainant,) **INTENTION TO ISSUE ORDER**
17 v.)
18 RICHARD A. MILLER)
19)
Respondent.)
20)
21)
22)

23
24 To: Richard A. Miller
25 20 East Foothill Blvd., Suite 100
Arcadia, CA 91006

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27 To: Michael W. Binning, Esq.
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Please take notice that, on the basis of the Settlement Agreement previously entered into and filed with the Office of Administrative Hearings, the California Corporations Commissioner hereby withdraws the following notice, originally issued April 3, 2008:

NOTICE OF INTENTION TO ISSUE ORDER DENYING APPLICATION FOR INVESTMENT ADVISER CERTIFICATE PURSUANT TO CORPORATIONS CODE SECTION 25232 AND BARRING INVESTMENT ADVISER FROM EMPLOYMENT, MANAGEMENT OR CONTROL PURSUANT TO CORPORATIONS CODE SECTION 25232.1

Respondent previously withdrew his July 2007 application for an investment adviser certificate, and has agreed, as part of the Settlement Agreement, not to file another application for investment adviser certificate, individually or on behalf of or as a part of any other entity or as an employee of an investment adviser, for a period of 3 years from November 4, 2008.

Dated: December 22, 2008

PRESTON DuFAUCHARD
California Corporations Commissioner

By: _____
ALAN S. WEINGER
Lead Corporations Counsel
Enforcement Division