

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
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7 Attorneys for Complainant
8

9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

11 In the Matter of the Order of THE) File No.: 963-1634
12 CALIFORNIA CORPORATIONS)
13 COMMISSIONER,) ORDER IMPOSING PENALTIES PURSUANT
) TO CALIFORNIA FINANCIAL CODE
14 Complainant,) SECTION 17408
)
15 v.)
)
16 MICHAEL-THOMAS ESCROW,)
17)
18 Respondent.)
)

19
20 TO: MICHAEL-THOMAS ESCROW
2659 Townsgate Road, Suite 138
21 Westlake Village, CA 91361

22 THE COMMISSIONER OF CORPORATIONS OF THE STATE OF CALIFORNIA FINDS

23 THAT:

24 Pursuant to California Financial Code section 17406, Michael-Thomas Escrow
25 (“Respondent”) was required to submit its annual audit report containing audited financial
26 statements (“Audit Report”) for the fiscal year ended February 28, 2007 to the California
27 Corporations Commissioner (“Commissioner”) on or before June 15, 2007.
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1 On or about January 25, 2007, the Commissioner notified Respondent in writing of the due
2 date of the Audit Report and the penalties for failure to file the Audit Report by such date.

3 On June 28, 2007, Respondent filed its audit report with the Commissioner, twelve (12) days
4 late.

5
6 Financial Code section 17408, subdivisions (b) - (e) provide as follows:

7 (b) The commissioner may impose, by order, a penalty on any
8 person who fails, within the time specified in any written demand of
9 the commissioner, (1) to make and file with the commissioner any
10 report required by law or requested by the commissioner . . . The
11 amount of the penalty may not exceed one hundred dollars (\$100)
12 for each day for the first five days the report or information is
13 overdue, and thereafter may not exceed five hundred dollars (\$500)
14 for each day the report or information is overdue.

15 (c) If, after an order has been made under subdivision (b), a
16 request for hearing is filed in writing within 30 days of the date of
17 service of the order by the person to whom the order was directed, a
18 hearing shall be held in accordance with the Administrative
19 Procedure Act, Chapter 5 (commencing with Section 11500) of Part
20 1 of Division 3 of Title 2 of the Government Code, and the
21 commissioner shall have all the powers granted under that chapter.

22 (d) If the person fails to file a written request for a hearing
23 within 30 days of the date of service of the order, the order imposing
24 the penalty shall be deemed a final order of the commissioner, and
25 the penalty shall be paid within five business days.

26 (e) If a hearing is requested, the penalty shall be paid within five
27 business days after the effective date of any decision in the case
28 ordering payment to be made.

29 NOW, THEREFORE, the Commissioner having found that Michael-Thomas Escrow failed
30 to timely file its Audit Report for fiscal year ended February 28, 2007 as required by Financial
31 Code section 17406, it is hereby ordered pursuant to Financial Code section 17408 that Michael-
32 Thomas Escrow pay the Commissioner the sum of \$1200.00.

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Dated: November 5, 2007
Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Alan S. Weinger
Lead Corporations Counsel
Enforcement Division