

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

4 **TO:** Benilda Olivo  
5 Better Choice Catering  
6 14251 Hamlin Street  
7 Van Nuys, CA 91401

8 **DESIST AND REFRAIN ORDER**

9 **(For violations of sections 25110 and 25401 of the Corporations Code)**

10 The California Corporations Commissioner finds that:

11 1. At all relevant times herein, Benilda B. Olivo (“Olivo”) was located at 150 Majestic  
12 Court, Apt. 1106, Thousand Oaks, CA 93021, or at 5038 Hazeltine, Apartment 104, Sherman Oaks,  
13 CA, 91423, or at 14251 Hamlin Street, Van Nuys, CA, 91401.

14 2. Beginning in or around February 2001, Olivo began offering shares in a catering  
15 business, better known as Better Choice Catering (“Better Choice”), for \$3500 per share. Olivo  
16 promised a return of \$200 per share per week for the lifetime of the investment.

17 3. Beginning in or around May 2001, Olivo began soliciting loans for other supposed  
18 business ventures from the same investors. Olivo promised a return of at least 60% on these loans.

19 4. Between February 2001 and September 2001, investors invested at least  
20 \$78,000 in Better Choice.

21 5. Between May 2001 and December 2001, investors loaned Olivo at least \$71,000 for  
22 her other supposed business ventures.

23 6. Olivo and Better Choice offered and sold unqualified, non-exempt securities in  
24 violation of the California Corporate Securities Laws.

25 7. In or around June 2001, Olivo sent various payouts to the investors, which were  
26 supposed dividends from Better Choice.

27 8. In connection with the offer and sale of these securities, Olivo made, or caused to be  
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1 made, misrepresentations of material fact or omitted to state material facts necessary in order to make  
2 the statements made, in the light of the circumstances under which they were made, not misleading.

3 These misrepresentations and omissions included, but are not limited to the following:

- 4 a. Olivo failed to disclose that Better Choice and the other business entities were  
5 non-existent;
- 6 b. Olivo misrepresented to investors that payouts were dividends from their  
7 investments in Better Choice;
- 8 c. Olivo failed to disclose that she was using investors money to gamble; and
- 9 d. Olivo failed to disclose that she was convicted in or around 1999 of Penal Code  
10 section 484(g) for fraudulent access card use.

11 Based on the foregoing findings, the California Corporations Commissioner is of the opinion  
12 that the securities in the form of shares, notes and/or investment contracts issued by Benilda Olivo  
13 and Better Choice Catering are securities subject to qualification under the California Corporate  
14 Securities Law of 1968 and are being or have been offered or sold without being qualified, in  
15 violation of Section 25110 of the Corporate Securities Law of 1968.

16 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Benilda Olivo and Better  
17 Choice Catering are hereby ordered to desist and refrain from the further offer or sale in the State of  
18 California of securities in the form of shares, notes and/or investment contracts unless and until  
19 qualification has been made under said law or unless exempt. The sale of such securities is subject to  
20 qualification under said law and such securities are being or have been offered for sale without first  
21 being so qualified.

22 Further, the California Corporations Commissioner is of the opinion that the securities issued  
23 by Benilda Olivo and Better Choice Catering were offered and sold in this state by means of written  
24 or oral communications which included untrue statements of material fact or omitted to state material  
25 facts necessary in order to make the statements made, in the light of the circumstances under which  
26 they were made, not misleading, in violation of section 25401 of the Corporate Securities Law of  
27 1968.

1 Pursuant to Section 25532 of the Corporate Securities Law of 1968, Benilda Olivo and Better  
2 Choice Catering are hereby ordered to desist and refrain from offering or selling or buying or offering  
3 to buy any security in the State of California, including but not limited to, shares, notes and  
4 investment contracts, by means of any written or oral communication which includes an untrue  
5 statement of a material fact or omits to state a material fact necessary in order to make the statements  
6 made, in the light of the circumstances under which they were made, not misleading.

7 This Order is necessary, in the public interest, for the protection of investors and consistent  
8 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

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10 Dated: July 28, 2005  
11 Los Angeles, California

12 WAYNE STRUMPFER  
13 Acting California Corporations Commissioner

14 By \_\_\_\_\_  
15 ALAN S. WEINGER  
16 Acting Deputy Commissioner  
17 Enforcement Division  
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