

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

4 TO: Mark Campbell
5 Jack Turner
6 Ball Print Technologies, Inc.
7 2010 Hancock Street
8 San Diego, CA 92110

Steven Fiorentino
6455 La Jolla Boulevard, # 138
La Jolla, CA 92037

Shannon K. Rodriguez
3115 Shelby Drive
National City, CA 91950

Tony Magee
12685 Camino Mira Del Mar, # 160
San Diego, CA 92130

10 Julia Newbern
11 3123 Roadrunner Road
12 San Marcos, CA 92078

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15 **DESIST AND REFRAIN ORDER**

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

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18 The California Corporations Commissioner finds that:

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20 1. At all relevant times, Ball Print Technologies, Inc. is and was a California corporation
21 incorporated on November 18, 2003 with a principal place of business at 2010 Hancock Street, San
22 Diego, CA 92110.

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24 2. At all relevant times, Mark Campbell (“Campbell”) is and was President, Chief Executive
25 Officer and co-founder of Ball Print Technologies, Inc.

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27 3. At all relevant times, Jack Turner (“Turner”) was Chief Operations Officer and co-founder of
28 Ball Print Technologies, Inc.

1 4. At all relevant times, Shannon K. Rodriguez (“Rodriguez”) was Vice President of Sales and
2 Marketing and a sales person for Ball Print Technologies, Inc.

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4 5. At all relevant times, Julia Newbern (“Newbern”) was also Vice President of Sales and
5 Marketing and a sales person for Ball Print Technologies, Inc.

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7 6. At all relevant times, Steven Fiorentino (“Fiorentino”) was a sales person for Ball Print
8 Technologies, Inc.

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10 7. At all relevant times, Tony Magee (“Magee”) was a sales person for Ball Print Technologies,
11 Inc.

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13 8. Beginning in or about 2004, Campbell, Turner, Rodriguez, Newbern, Fiorentino, Magee and
14 Ball Print Technologies, Inc. offered and sold securities, in the form of commercial notes, in the State
15 of California.

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17 9. Through general solicitations in the form of an investor recruitment network and telephone
18 cold-calls, Campbell, Turner, Rodriguez, Newbern, Fiorentino, Magee and Ball Print Technologies,
19 Inc. offered or sold commercial notes to California residents.

20
21 10. The purported purpose of the commercial note offering was to raise funds for the operation of
22 Ball Print Technologies, Inc., a company which prints illustrations on various surfaces including
23 sports memorabilia.

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25 11. A Ball Print Technologies, Inc. Private Placement Memorandum, distributed to investors and
26 potential investors, states “Our noteholder’s capital is asset-backed – secured by insurance issued by
27 US-based insurance companies, which have a perfect payment record . . . Payments are guaranteed by
28 the insurance policies’ cash maturities to pay interest and repay principal . . . Because the [insurance]

1 Trust will invest in ABS life insurance policies, *no such risk will apply* and will not be applicable in
2 any way to [Ball Print Technologies, Inc.] Notes.” Ball Print Technologies, Inc. allegedly procured
3 insurance policies to secure the notes from Asset-Max, Inc., a Nevada corporation, located at 12
4 Primrose, Irvine, California 92604. According to the Private Placement Memorandum, the trustee for
5 Asset-Max, Inc. is Edison Miller, California State Bar #74787.

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7 12. These securities were offered and sold in this state in issuer transactions. The Department of
8 Corporations has not issued a permit or other form of qualification authorizing any person to offer or
9 sell these securities in this state.

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11 13. In connection with the offers and sales of securities, Campbell, Turner, Rodriguez, Newbern,
12 Fiorentino, Magee and Ball Print Technologies, Inc. misrepresented to investors that their investment
13 had little or no risk because the investments were secured by insurance policies and that investor
14 principal and interest payments were fully guaranteed. In fact, some investors have not received any
15 interest payments. Further, Campbell, Turner, Rodriguez, Newbern, Fiorentino, Magee and other
16 representatives of Ball Print Technologies, Inc. have ceased contact with investors.

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18 14. On June 12, 2007, the Department of Corporations issued a Subpoena Duces Tecum on Ball
19 Print Technologies, Inc. On July 31, 2007, the Subpoena Duces Tecum was personally served on
20 Newbern, as an agent of Ball Print Technologies, Inc., requiring her to produce documents to the
21 Department of Corporations by August 31, 2007. Newbern failed and refused to produce any
22 documents. Further, Newbern has failed to contact the Department of Corporations to seek a further
23 extension to the date of production.

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25 Based upon the foregoing findings, the California Corporations Commissioner is of the
26 opinion that the commercial notes of Ball Print Technologies, Inc. are securities subject to
27 qualification under the California Corporate Securities Law of 1968 (California Corporations Code
28 section 25000 et seq.) and are being or have been offered or sold without being qualified in violation

1 of Corporations Code section 25110. Pursuant to section 25532 of the Corporate Securities Law of
2 1968, Mark Campbell, Jack Turner, Shannon K. Rodriguez, Julia Newbern, Steven Fiorentino, Tony
3 Magee and Ball Print Technologies, Inc. are hereby ordered to desist and refrain from the further
4 offer or sale in the State of California of securities, including but not limited to commercial notes,
5 unless and until qualification has been made under the law or unless exempt.
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7 Further, the California Corporations Commissioner is of the opinion that the securities of Ball
8 Print Technologies, Inc. were offered or sold in this state by means of written or oral communications
9 which included an untrue statement of a material fact or omitted to state a material fact necessary in
10 order to make the statements made, in the light of the circumstances under which they were made, not
11 misleading, in violation of section 25401 of the Corporate Securities Law of 1968. Pursuant to
12 section 25532 of the Corporate Securities Law of 1968, Mark Campbell, Jack Turner, Shannon K.
13 Rodriguez, Julia Newbern, Steven Fiorentino, Tony Magee and Ball Print Technologies, Inc. are
14 hereby ordered to desist and refrain from offering or selling or buying or offering to buy any security
15 in the State of California, including but not limited to commercial notes, by means of any written or
16 oral communication which includes an untrue statement of a material fact or omits to state a material
17 fact necessary in order to make the statements made, in the light of the circumstances under which
18 they were made, not misleading.
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20 This Order is necessary, in the public interest, for the protection of investors and consistent
21 with the purposes, policies and provisions of the Corporate Securities Law of 1968.

22 Dated: October 23, 2007

23 PRESTON DuFAUCHARD
24 California Corporations Commissioner

25
26 By _____
27 ALAN S. WEINGER
28 Lead Corporations Counsel

1 6. The purported purpose of the commercial note offering was to raise funds for the operation of
2 Ball Print Technologies, Inc., a company which prints illustrations on various surfaces including
3 sports memorabilia.

4
5 7. These securities were offered and sold in this state in issuer transactions. The Department of
6 Corporations has not issued a permit or other form of qualification authorizing any person to offer or
7 sell these securities in this state.

8
9 Based upon the foregoing findings, the California Corporations Commissioner is of the
10 opinion that the commercial notes of Ball Print Technologies, Inc. are securities subject to
11 qualification under the California Corporate Securities Law of 1968 (California Corporations Code
12 section 25000 et seq.) and are being or have been offered or sold without being qualified in violation
13 of Corporations Code section 25110. Pursuant to section 25532 of the Corporate Securities Law of
14 1968, Shannon K. Rodriguez is hereby ordered to desist and refrain from the further offer or sale in
15 the State of California of securities, including but not limited to commercial notes, unless and until
16 qualification has been made under the law or unless exempt.

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

20 Dated: March 20, 2009

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22 PRESTON DuFAUCHARD
23 California Corporations Commissioner

24
25 By _____
26 ALAN S. WEINGER
27 Acting Deputy Commissioner
28

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Acting Deputy Commissioner
3 ALEX CALERO (SBN: 238389)
Corporations Counsel
4 DEPARTMENT OF CORPORATIONS
1350 Front Street, Room 2034
5 San Diego, California 92101
Telephone: (619) 525-4044
6

7 Attorneys for Complainant

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

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|----|-----------------------------|---|-----------------------------------|
| 10 | In the Matter of |) | |
| | |) | |
| 11 | THE CALIFORNIA CORPORATIONS |) | STIPULATION TO AMENDED DESIST AND |
| 12 | COMMISSIONER, |) | REFRAIN ORDER FOR VIOLATIONS OF |
| | |) | CALIFORNIA CORPORATIONS CODE |
| 13 | Complainant, |) | SECTION 25110 |
| | |) | |
| 14 | v. |) | |
| | |) | |
| 15 | SHANNON K. RODRIGUEZ, |) | |
| | |) | |
| 16 | Respondents. |) | |

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18 IT IS HEREBY STIPULATED BY AND BETWEEN RESPONDENT SHANNON K.
19 RODRIGUEZ (“RODRIGUEZ”), AND THE CALIFORNIA CORPORATIONS COMMISSIONER
20 (“COMMISSIONER”), AS FOLLOWS:

21 WHEREAS, on October 23, 2007, the COMMISSIONER issued a Desist and Refrain Order
22 against Ball Print Technologies, Inc., Jack Turner, Mark Campbell, Steven Fiorentino, Tony Magee,
23 Julia Newbern and RODRIGUEZ for: (1) the offer and sale of securities that were, in the opinion of
24 the COMMISSIONER, unqualified and non-exempt in violation of California Corporations Code
25 section 25110; and (2) the misrepresentation and omission of material facts in connection with the
26 offer and sale of securities that were in the opinion of the COMMISSIONER in violation of
27 Corporations Code section 25401. Attached hereto as **Exhibit A** and incorporated by reference is a
28 true and correct copy of the Desist and Refrain Order dated October 23, 2007.

1 On March 20, 2009, pursuant to this Stipulation, the COMMISSIONER issued an Amended
2 Desist and Refrain Order pertaining to RODRIGUEZ. Attached hereto as **Exhibit B** and
3 incorporated by reference is a true and correct copy of the Amended Desist and Refrain Order.

4 WHEREAS, RODRIGUEZ, without admitting or denying the finding in the Amended Desist
5 and Refrain Order, seeks to resolve the concerns of the COMMISSIONER by entering into this
6 Stipulation.

7 NOW, THEREFORE, the parties hereby stipulate and agree as follows:

8 1. RODRIGUEZ hereby admits to the jurisdiction of the COMMISSIONER over her
9 person and over the subject matter of this proceeding;

10 2. RODRIGUEZ hereby consents to entry of the Amended Desist and Refrain Order;

11 3. RODRIGUEZ hereby waives her right to a hearing on this matter, provided for by
12 California Corporations Code section 25532, subdivision (d). Further, RODRIGUEZ waives her
13 right to any and all judicial review of this matter, including that provided by California Code of Civil
14 Procedure section 1094.5;

15 4. The COMMISSIONER rescinds the Desist and Refrain Order issued on October 23,
16 2007, as it pertains to RODRIGUEZ but not for the other respondents;

17 5. RODRIGUEZ hereby agrees that the Amended Desist and Refrain Order is a public
18 document and shall remain in full force and effect until further order of the COMMISSIONER;

19 6. RODRIGUEZ acknowledges that pursuant to California Corporations Code section
20 25255, remedies for violations of the California Corporate Securities Law of 1968 (California
21 Corporations Code section 25000 et seq.) are not exclusive and may be sought and employed in any
22 combination to enforce that law. Therefore, RODRIGUEZ further agrees that this Stipulation does
23 not preclude the COMMISSIONER from seeking additional remedies against RODRIGUEZ for
24 violating the Amended Desist and Refrain Order or any law under the COMMISSIONER's
25 jurisdiction;

26 7. RODRIGUEZ acknowledges that nothing in this Stipulation shall preclude the
27 COMMISSIONER, or his agents or employees, to the extent authorized by law, from assisting or
28 cooperating in any investigation and/or action brought by any other federal, state or county agency;

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8. RODRIGUEZ enters into this Stipulation voluntarily and without coercion and acknowledges that no promises, threats or assurances have been made by the COMMISSIONER or any officer, or agent thereof, about this Stipulation; and

9. RODRIGUEZ and the COMMISSIONER agree that this Stipulation may be executed in one or more separate counterparts, each of which when so executed, shall be deemed an original. Such counterparts shall together constitute and be one and the same instrument.

Dated: March 20, 2009

SHANNON K. RODRIGUEZ

Dated: March 23, 2009

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
ALAN S. WEINGER
Acting Deputy Commissioner