

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

TO: Richard Allen Stuck  
2704 Oak Road #80  
Walnut Creek, CA 94596

**DESIST AND REFRAIN ORDER**  
**(For violations of section 25110 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. Richard Allen Stuck (“Stuck”) is an individual who operates a purported financial planning service at 2704 Oak Road #80 in Walnut Creek, California 94596.

2. In the spring of 2002, Stuck offered an elderly woman in San Rafael the opportunity to invest money in a purported gold mining venture, promising her a profit of 50% in thirty days. In reliance upon Stuck’s description of the proposed investment and promised return, the woman invested \$10,000 with Stuck on May 30, 2002. At the time of the investment Stuck provided her a handwritten note which stated:

Received from [investor] \$10,000 for investment.  
I will be personally responsible for the invested amount and guarantee it to be refunded within 30 business days or before.

1 Thereafter Stuck failed to repay any portion of either the invested principal or the promised profits.  
2 When the investor inquired into the status of her investment, Stuck offered a series of excuses. Stuck  
3 also changed his description of the investment the money had been placed in. Prior to his receipt of  
4 the funds, Stuck had told the investor that the money would be invested in development of a gold  
5 mine. Thereafter he told her that the money was being invested in a fertilizer plant instead. Later  
6 still Stuck told the investor that the fertilizer plant “never came through,” but that “now we have a  
7 new source in the Chinese government.”  
8

9 3. When the investor continued to press for repayment of her money, Stuck said that he  
10 would borrow money to repay her, and then told her that he would repay her from the funds received  
11 in an escrow account relating to the sale of a parcel of real estate. The investor finally received her  
12 invested funds back in the amount of \$10,000 by check dated October 5, 2004 from the account of a  
13 title company. She received no interest or other return upon her funds, which Stuck had held for  
14 almost two and a half years.  
15

16 4. In November of 2003, Stuck offered a different investment to a friend of the first investor.  
17 The prospective second investor was also an elderly woman. Stuck offered the prospective second  
18 investor the opportunity to invest a minimum of \$10,000 in an enterprise called “Moneytree” with an  
19 address in Chilliwick, British Columbia, Canada. Stuck represented that funds invested with  
20 “Moneytree” would be used for the cashing of checks and making short term loans of \$100 to \$500,  
21 usually of two weeks duration or less, to employees of firms contracted with Moneytree. Stuck  
22 represented to the prospective second investor that she would receive a distribution of 5% per month.  
23 Alternatively, Stuck represented, she could leave her funds to accumulate and that she would then  
24 received interest of 7% per month, 84% per year. Stuck represented further that “the return is all tax  
25 free” and “I personally guarantee the invested amount and I can show you how I can.” The second  
26 prospective investor elected not to invest with Stuck.  
27

28 Based upon the foregoing findings, the California Corporations Commissioner is of the

1 opinion that the investments offered by Richard Allen Stuck in a gold mining venture, in a fertilizer  
2 plant, in a venture related to the Chinese government and in "Moneytree" constitute securities in the  
3 form of investment contracts subject to qualification under the California Corporate Securities Law of  
4 1968 which have been offered and sold without being qualified, in violation of California  
5 Corporations Code section 25110.

6  
7 Pursuant to section 25532 of the Corporate Securities Law of 1968, Richard Allen Stuck is  
8 hereby ordered to desist and refrain from the further offer or sale in the State of California of  
9 securities in the form of investment contracts in gold mining ventures, fertilizer plants, ventures  
10 related to the Chinese government and "Moneytree" unless and until qualification has been made  
11 pursuant to the Corporate Securities Law of 1968 or unless exempt.

12  
13 This Order is necessary, in the public interest, for the protection of investors and consistent  
14 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

15  
16 Dated: January 24, 2005  
17 Sacramento, California

18 WILLIAM P. WOOD  
19 California Corporations Commissioner

20 By \_\_\_\_\_  
21 ALAN S. WEINGER  
22 Supervising Counsel

23  
24  
25  
26  
27  
28