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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

JAN 18 2011

John A. Clarke, Executive Officer/Clerk
BY Shaunay Wesley, Deputy

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

10 THE PEOPLE OF THE STATE OF
11 CALIFORNIA, by and through the California
12 Corporations Commissioner,

13 Plaintiff,

14 vs.

15 GERARD SUITE, a.k.a., GERARD SWEET,
16 a.k.a., RAUL JERARD ANTHONY, a.k.a., R.J.
17 ANTHONY, a.k.a., RAWLE GERARD SUITE,
18 a.k.a., GERARD S. RAWLE, a.k.a., RAWLE
19 GERARD GIRARD, as an individual;
20 TECHNOLOGY COMMUNICATION
21 MANAGEMENT, L.L.C., a revoked Nevada
22 limited liability company; CASHNET ASSET
23 MANAGEMENT, INC., a.k.a. THE
24 BREAKFAST TRADE, a suspended California
25 corporation; WINDSOR EQUITY PARTNERS,
26 INC., a suspended California corporation;
27 DISCOVER BUSINESS SOLUTIONS, INC., a
28 revoked Nevada corporation; DISCOVER
PORTFOLIO SERVICES, LP, a California limited
partnership; DOES 1-50.

Defendants.

) CASE NO.: BC452780

) **COMPLAINT FOR PRELIMINARY AND**
) **PERMANENT INJUNCTIVE RELIEF**
) **AND ANCILLARY RELIEF AND CIVIL**
) **PENALTIES**
) (CALIFORNIA CORPORATIONS CODE
) Sections 25530 and 25535)

) **VIOLATIONS OF CALIFORNIA**
) **CORPORATIONS CODE SECTION 25110**
) (UNQUALIFIED OFFER AND SALE OF
) SECURITIES)

) **VIOLATIONS OF CALIFORNIA**
) **CORPORATIONS CODE SECTION 25230**
) (UNCERTIFIED INVESTMENT ADVISER)

) **VIOLATIONS OF CALIFORNIA**
) **CORPORATIONS CODE SECTION 25401**
) (SALE OF SECURITIES BY FALSE OR
) MISLEADING STATEMENTS)

) **VIOLATIONS OF DESIST AND REFRAIN**
) **ORDER ISSUED BY THE**
) **COMMISSIONER**

1 THE PEOPLE OF THE STATE OF CALIFORNIA, by and through Preston DuFauchard,
2 California Corporations Commissioner, acting to protect the public from unlawful and fraudulent
3 sales of securities, bring this action in the public interest. The People of the State of California, based
4 on information and belief, allege:

5 **JURISDICTION AND VENUE**

6 1. The California Corporations Commissioner, (“Commissioner”) pursuant to California
7 Government Code section 11180 and California Corporations Code section 25530¹, seeks to enjoin
8 defendants and protect the public from violating the Corporate Securities Law of 1968 (hereinafter
9 referred to as “CSL,” California Corporations Code section 25000 et seq.), the rules promulgated
10 pursuant to it, and the Commissioner’s July 25, 2006 Desist and Refrain Order. The Commissioner
11 also seeks an order for civil penalties and ancillary relief pursuant to section 25530 (b).

12 2. The Defendants have transacted and continue to transact business within Los Angeles
13 and Orange Counties and throughout the State of California.

14 **DEFENDANTS**

15 3. Defendant GERARD SUITE a.k.a. GERARD SWEET a.k.a RAUL JERARD
16 ANTHONY a.k.a. R.J. ANTHONY a.k.a. RAWLE GERARD SUITE a.k.a. GERARD S. RAWLE
17 a.k.a. RAWLE GERARD GIRARD, (“Suite”) is an individual and a resident of the county of
18 Riverside. At all times relevant hereto, Suite has conducted business in the counties of Los Angeles
19 and Orange and elsewhere in California, as: Asset Guaranteed Account II; TCM DV IV Gold; TCM
20 DV IX Silver-Discover Portfolio; Cash Net Real Estate Mortgage Partners; Cash Net Real Estate
21 Mortgage Partners Fund I; Debt Clearance Fund II; Debt Clearance Fund III; TCM Debt Clearance
22 Center Fund 11; TCMDV III Discover Advantage Portfolio Raw Materials Fund; Cash Net Mergers
23 and Acquisitions Partnership LLC. Suite has also conducted business in the counties of Los Angeles
24 and Orange and elsewhere in California in the following capacities: Suite as President and CEO of
25 Cashnet Asset Management, Inc. under the alias “R.J. Anthony” and Vice President of Cashnet
26 Asset Management, Inc. under the name “Gerard Suite.”

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28 ¹ All references are to the California Corporations Code unless otherwise indicated.

1 4. Defendant TECHNOLOGY COMMUNICATION MANAGEMENT, L.L.C.
2 (“TCM”) is a revoked Nevada limited liability company with its principal place of business at 5405
3 Alton Parkway, Suite 5A, Irvine, CA 92604.

4 5. Defendant CASHNET ASSET MANAGEMENT, INC. (“CASHNET”) a.k.a. THE
5 BREAKFAST TRADE (“BREAKFAST”) is a suspended California Corporation with its principal
6 places of business at 19000 Macarthur Blvd., Suite #500, Irvine, CA 92612 and 2222 Michelson
7 Drive, Suite # 485, Irvine, CA 92626.

8 6. Defendant WINDSOR EQUITY PARTNERS, INC. (“WINDSOR”) is a suspended
9 California Corporation with its principal place of business at 2967 Michelson, Suite #119, Irvine
10 CA, 92612.

11 7. Defendant DISCOVER BUSINESS SOLUTIONS, INC. (“DBS”) is a revoked
12 Nevada Corporation with its principal place of business at 305 Sonoma Aisle, Irvine, CA 92604.

13 8. Defendant DISCOVER PORTFOLIOS SERVICES, LP (“DPS”) is a California
14 Limited Partnership with its principal place of business at 19000 Macarthur Blvd., Suite #500,
15 Irvine, CA 92612.

16 9. Defendant Does 1 through 50 are persons, corporations, or other entities that have
17 done or will do acts otherwise alleged in this complaint. Plaintiff is informed and believes, and on
18 such information and belief alleges, that at all times mentioned herein Does 1 through 50, inclusive,
19 have acted and continue to act in concert with the Defendants named herein, and each of them has
20 participated in the acts and transactions that are the subject of this complaint. The true names and
21 capacities of Does 1 through 50, whether individual, corporate, or otherwise, are unknown to
22 Plaintiff, who therefore sues such Defendants under such fictitious names pursuant to section 474 of
23 the California Code of Civil Procedure. Plaintiff asks leave of the Court to amend the Complaint to
24 allege the true names and capacities of such Defendants at such time as the same have been
25 ascertained.

26 10. Plaintiff is informed and believes and based thereon alleges that at all relevant times,
27 the Defendants named as officers, directors, agents or employees acted in such capacities in
28 connection with the acts, practices and schemes of business set forth below.

1 11. Whenever any allegation herein is made as to a “Defendant,” the allegation shall
2 mean the act of each individual Defendant acting individually, jointly and severally and conspiring
3 with the Defendants to so act. Each Defendant alleged to have committed any act did so pursuant to
4 and in furtherance of a common plan, scheme and conspiracy and as the agent for each and every co-
5 Defendant. Each Defendant acted in conspiracy to violate the provisions of the CSL.

6 12. Plaintiff is informed and believes and based thereon alleges that at all relevant times,
7 each and every Defendant directly or indirectly controlled other co-Defendants by knowingly
8 inducing, or by knowingly providing substantial assistance to, other co-Defendants to violate the
9 provisions of the CSL, as alleged in the Complaint within the meaning of California Corporations
10 Code section 25403.

11 13. Whenever any allegation is made in this complaint to any of the corporate Defendants
12 doing any act, the allegation shall mean acts done or authorized by the officers, directors, agents, or
13 employees of the corporate Defendants while actively engaged in the management, direction, or
14 control of the affairs of the corporate Defendants, and while acting within the course and scope of
15 their employment.

16 14. Plaintiff is informed and believes and based thereon alleges that at all times herein
17 mentioned, corporate Defendants continued in existence as alter egos of each other and Suite
18 pursuant to a scheme to offer and sell unqualified, non-exempt, and fraudulent securities. At all
19 times herein mentioned, Defendants TCM, CASHNET, WINDSOR, DBS and DPS were so
20 influenced and controlled by Suite in the conduct of their business and affairs that there existed a
21 unity of interest and ownership among said parties so that adherence to the fiction of separate
22 corporate and individual existences serves to work an injustice upon the public.

STATEMENT OF FACTS

24 15. Since 2004, and continuing thereafter, Defendants, their agents, representatives and
25 affiliates have engaged in and continue to engage in business in the State of California in violation of
26 the CSL. These violations consist of offering and selling unqualified, non-exempt securities to
27 members of the public by means of fraud.

28 16. Defendants offered and sold in this state:

1 (A) From 2004, unqualified, non-exempt securities in the form of investment contracts
2 consisting of interests in Asset Guaranteed Account II, in an amount of at least \$14,375;

3 (B) From 2004, unqualified, non-exempt securities in the form of investment contracts
4 consisting of interests in TCM DV IV Gold, in an amount of at least \$1,600;

5 (C) From 2004, unqualified, non-exempt securities in the form of investment contracts
6 consisting of interests in TCM DV IX Silver-Discover Portfolio, in an amount of at least \$5,000;

7 (D) From 2004, unqualified, non-exempt securities in the form of equity interests in
8 Technology Communications Management, in an amount of at least \$50,000;

9 (E) From 2005, unqualified, non-exempt securities in the form of promissory notes
10 convertible into common stock in Cash Net Real Estate Mortgage Partners, in an amount of at least
11 \$20,000;

12 (F) From 2005, unqualified, non-exempt securities in the form of shares in Cash Net Real
13 Estate Mortgage Partners Fund I, in an amount of at least \$20,000;

14 (G) From 2005 through at least 2006, unqualified, non-exempt securities in the form of
15 investment contracts consisting of interests in Debt Clearance Fund II, in an amount of at least
16 \$12,500;

17 (H) From 2005 through at least 2006, unqualified, non-exempt securities in the form of
18 investment contracts consisting of interests in Debt Clearance Fund III, in an amount of at least
19 \$12,500;

20 (I) From 2005, unqualified, non-exempt securities in the form of investment units in
21 Discover Portfolio, Inc., in an amount of at least \$12,938;

22 (J) From 2005 through at least 2006, unqualified, non-exempt securities in the form
23 of investment contracts consisting of interests in TCM Debt Clearance Center Fund 11, in an amount
24 of at least \$11,250;

25 (K) From 2005 through at least 2006, unqualified, non-exempt securities in the form of
26 investment contracts consisting of interests in TCMDV III Discover Advantage Portfolio Raw
27 Materials Fund, in an amount of at least \$53,200.

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1 (L) From 2006, unqualified, non-exempt securities in the form of shares in Cash Net
2 Mergers and Acquisitions Partnership LLC, in an amount of at least \$5,000;

3 17. On July 25, 2006, the Commissioner issued an order to Suite and TCM to Desist and
4 Refrain (“Order”) from violating section 25110 by offering or selling any security of any kind unless
5 and until a qualification was obtained from the Commissioner pursuant to sections 25111, 25112 or
6 25113, or unless exempt, and violating section 25401 by offering or selling any security in this state
7 by means of any written or oral communication of any kind whatsoever which includes an untrue
8 statement of any material fact or omits or fails to state any material fact necessary in order to make
9 the statements made, in light of the circumstances under which they were made, not misleading. The
10 misrepresentations included a statement from Suite telling an investor that her money would be
11 treated as a rollover of her retirement account, when in fact, it was treated as a cash advance. On
12 September 25, 2006, Suite and TCM were personally served with the Order and failed to request a
13 hearing contesting the Order and the Order became final. Notwithstanding the Order, Suite and TCM
14 continued to offer and sell the following securities in violation of sections 25110 and 25401:

15 (A) From at least September 25, 2006, unqualified, non-exempt securities in the form of
16 investment contracts consisting of interests in Cash Net Small Cap IV DPO, in an amount of at least
17 \$7,000;

18 (B) From at least September 25, 2006, unqualified, non-exempt securities in the form of
19 investment contracts consisting of interests in Swing Trade Isolated Program LLC, in an amount of
20 at least \$3,400;

21 (C) From at least September 25, 2006, unqualified, non-exempt securities in the form of
22 investment contracts consisting of interests in TCMDV III Discover Advantage Portfolio Raw
23 Materials Fund, in an amount of at least \$7,600;

24 (D) From at least September 25, 2006, unqualified, non-exempt securities in the form of
25 investment contracts consisting of interests in the Windsor Equity Partners 12-Month Judgment
26 Program, in an amount of at least \$6,277;

27 (E) From at least September 25, 2006, unqualified, non-exempt securities in the form of
28 investment units in Windsor Equity Partners, Inc., in an amount of at least \$10.437.44.

1 (F) From at least 2009, unqualified, non-exempt securities in the form of investment units
2 in Syntrolium Raw Materials, LLC.

3 18. In order to sell these securities, Defendants solicited investors by means of telephonic
4 communications without being qualified in the State of California. During these telephone calls,
5 Defendant Suite advised actual and potential investors as to the advisability of investing in,
6 purchasing or selling securities, including without limitation the securities set forth in paragraph 16,
7 subparagraphs (A)-(L) above, and paragraph 17, subparagraphs (A)-(F), above.

8 19. Defendants offered and sold unqualified non-exempt securities as set forth fully in
9 paragraph 16, subparagraphs (A)-(L) above, and paragraph 17, subparagraphs (A)-(F), above,
10 through these telephonic financial consultations.

11 20. Defendants offered and sold securities in California by making material
12 misrepresentations, including without limitation:

13 (A) Defendants represented that investors would receive the return of their principal after
14 the end of the investment term, when in fact, Defendants failed to return the investors' investment
15 principal at the end of the investment term; and

16 (B) Defendants represented that R.J. Anthony and Gerard Suite are separate individuals
17 and officers of different companies, when in fact, R.J. Anthony and Gerard Suite are both aliases
18 used by one individual.

19 21. Defendants offered and sold securities in California by omitting material facts,
20 including without limitation:

21 (A) That on July 25, 2006, the Department issued a Desist and Refrain Order against
22 TCM and Suite, ordering TCM and Suite to desist and refrain from the offer and sale of any non-
23 exempt security in California without qualification or unless exempt and offering and selling
24 securities by means of fraud;

25 (B) That Suite was charged with felony perjury and felony burglary;

26 (C) That CASHNET's corporate status was suspended;

27 (D) That TCM's corporate status was revoked; and

28 (E) That WINDSOR's corporation status was suspended.

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FIRST CAUSE OF ACTION
SALE OF UNQUALIFIED SECURITIES
IN VIOLATION OF CALIFORNIA CORPORATIONS CODE SECTION 25110
(Against All Defendants)

22. The Commissioner re-alleges and incorporates by reference paragraphs 1 through 21 of this Complaint as though set forth in full herein.

23. California Corporations Code section 25110 provides in pertinent part:

It is unlawful for any person to offer or sell in this state any security in an issuer transaction . . . unless such sale has been qualified under Section 25111, 25112, or 25113 . . . or unless such security or transaction is exempted or not subject to qualification under Chapter 1 (commencing with section 25100) of this part.

24. Commencing in 2004, Defendants offered and sold securities in issuer transactions in the State of California.

25. The investments offered and sold by Defendants constitute “securities” within the meaning of California Corporations Code section 25019. These securities include, but are not limited to, the securities described in paragraph 16, subparagraphs (A)–(L) above and paragraph 17, subparagraphs (A)-(F) above.

26. The sales referenced herein constitute “issuer transactions” within the meaning of California Corporations Code sections 25010 and 25011.

27. The Defendants “offered and sold” the securities “within the State” of California within the meaning of California Corporations Code sections 25008 and 25017.

28. The Commissioner has not issued a permit or other form of qualification authorizing the Defendants to offer and sell the securities in the State of California.

29. The offer and sale of the securities are not exempt from the requirement of qualification under California Corporations Code section 25110. Further, such conduct is also in violation of the Commissioner’s July 25, 2006 Desist and Refrain Order issued against Suite.

30. Unless enjoined by this Court, Defendants and each of them will continue to violate California Corporations Code section 25110.

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SECOND CAUSE OF ACTION

MISREPRESENTATIONS OR OMISSIONS OF MATERIAL

FACTS IN VIOLATION OF CALIFORNIA CORPORATIONS CODE SECTION 25401

(Against All Defendants)

31. The Commissioner re-alleges and incorporates by reference paragraphs 1 through 30 of this Complaint as though set forth in full herein.

32. California Corporations Code section 25401 provides as follows:

It is unlawful for any person to offer or sell a security in this state or buy or offer to buy a security in this state by means of any written or oral communication which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

33. In offering and selling securities in this state, Defendants made untrue statements and/or misrepresentations of material facts to some or all prospective or existing investors. The misrepresentations included, without limitation, the following:

(A) Defendants represented that investors would receive the return of their principal after the end of the investment term, when in fact, Defendants failed to return the investors' investment principal at the end of the investment term; and

(B) Defendants represented that R.J. Anthony and Gerard Suite are separate individuals and officers of different companies, when in fact, R.J. Anthony and Gerard Suite are both aliases used by one individual.

34. In offering and selling securities in this state, Defendants omitted to state material facts to some or all of the prospective or existing investors. The omissions included, without limitation, the following:

(A) That on July 25, 2006, the Department issued a Desist and Refrain Order against TCM and Suite, ordering TCM and Suite to desist and refrain from the offer and sale any security in California by means of fraud;

(B) That Suite was charged with felony perjury and felony burglary;

(C) That CASHNET's corporate status was suspended;

1 (D) That TCM’s corporate status was revoked; and

2 (E) That WINDSOR’s corporate status was suspended.

3 35. The misstatements and omissions referred to herein were of “material facts” within
4 the meaning of the California Corporations Code section 25401.

5 36. Defendants made untrue statements and/or omitted to disclose material facts in
6 connection with the offer and sale of securities in violation of California Corporations Code section
7 25401. Further, such conduct is also in violation of the Commissioner’s July 25, 2006 Desist and
8 Refrain Order issued against Suite.

9 37. Unless enjoined by this Court, Defendants and each of them, will continue to violate
10 California Corporations Code section 25401.

11 **THIRD CAUSE OF ACTION**

12 **ACTING AS UNCERTIFIED INVESTMENT ADVISER IN VIOLATION OF CALIFORNIA**
13 **CORPORATIONS CODE SECTION 25230**

14 **(Against Defendant Suite)**

15 38. The Commissioner re-alleges and incorporates by reference paragraphs 1 through 37
16 of this Complaint as though set forth in full herein.

17 39. Corporations Code Code section 25230(a) provides in pertinent part:

18 It is unlawful for any investment adviser to conduct business as
19 an investment adviser in this state unless the investment
20 adviser has first applied for and secured from the commissioner
21 a certificate, then in effect, authorizing the investment adviser
22 to do so or unless the investment adviser is exempt by the
23 provisions of Chapter 1 (commencing with Section 25200) of
24 this part or unless the investment adviser is subject to Section
25 25230.1.

26 40. Corporations Code section 25009 defines investment adviser as “any person who, for
27 compensation, engages in the business of advising others, either directly or through publications or
28 writings, as to the value of securities or as to the advisability of investing in, purchasing or selling
29 securities ...”

30 41. Since in or about 2004, and continuing thereafter, Suite has engaged in the business
31 of advising others, either directly or through publications or writings, as to the value of securities or

1 as to the advisability of investing in, purchasing or selling securities. including without limitation,
2 the securities set forth in paragraph 16, subparagraphs (A)-(L) above, and paragraph 17,
3 subparagraphs (A)-(F) above.

4 42. Suite gave such advice through direct telephonic communications and emails sent to
5 investors detailing investment analyses and recommendations for investment opportunities.

6 43. Since at least 2004, and continuing thereafter, Suite has conducted business as an
7 investment adviser in this state, as defined by section 25009. Suite has not applied for and secured
8 from the commissioner, a certificate, authorizing Suite to conduct business as an investment adviser.

9 44. Unless enjoined by this Court, Defendant Suite will continue to violate section 25230.

10 **FOURTH CAUSE OF ACTION**

11 **VIOLATIONS OF PRIOR DESIST AND REFRAIN ORDER ISSUED BY THE**
12 **COMMISSIONER**

13 **(Against Defendants Suite and TCM)**

14 45. The Commissioner re-alleges and incorporates by reference paragraphs 1 through 44
15 of this Complaint as though set forth in full herein.

16 46. California Corporations Code section 25530 provides, in pertinent part, as follows:

17 (a) Whenever it appears to the commissioner that any person
18 has engaged or is about to engage in any act or practice
19 constituting a violation of any provision of this division or
20 any rule or order hereunder, the commissioner may in the
21 commissioner's discretion bring an action in the name of the
22 people of the State of California in the superior court to
23 enjoin the acts or practices or to enforce compliance with this
24 law or any rule or order hereunder ...

25 47. On July 25, 2006, the Commissioner issued an administrative order against
26 Defendants TCM and Suite in connection with TCM, ordering them to immediately desist and
27 refrain from the further offer and sale in the State of California of any security, unless and until
28 qualification has been made under Corporations Code section 25110 or exempt, and from offering
and selling securities by means of fraud.

48. Notwithstanding the receipt and knowledge of the Desist and Refrain Order,
Defendants TCM and Suite continue to offer and sell securities by means of fraud in the State of

1 California, as set forth in paragraph 17, subparagraphs (A)-(F) above, that are not qualified, and as
2 such are in violation of the Commissioner's July 25, 2006 Desist and Refrain Order.

3 49. Unless enjoined by the Court, Defendants and each of them will continue to violate
4 the Commissioner's Order.

5 **PRAYER**

6 WHEREFORE, the People of the State of California prays for judgment as follows:

7 A. Pursuant to Corporations Code section 25530, subsection (a), for a
8 Preliminary and Permanent Injunction, restraining and enjoining Defendants and all Does, and their
9 officers, directors, successors in interest, controlling persons, agents, employees, attorneys in fact,
10 and all other persons acting in concert or participating with them, or any of them from, directly or
11 indirectly:

12 (1) Violating Corporations Code section 25110 by offering to sell, selling,
13 arranging for the sale, issuing, engaging in the business of selling, negotiating for the sale of, or
14 otherwise in any way dealing or participating in the offer or sale of, any security of any kind,
15 including but not limited to the securities described in this Complaint, unless such security or
16 transaction is qualified;

17 (2) Violating Corporations Code section 25401 by offering to sell or selling any
18 security of any kind, including but not limited to, the securities described in this Complaint, by
19 means of any written or oral communication, which contains any untrue statements of any material
20 fact or omits or fails to state any material fact necessary in order to make the statements made, in
21 light of the circumstances under which they are made, not misleading, including but not limited to
22 the misrepresentations and omissions alleged in this Complaint;

23 (3) Removing, destroying, mutilating, concealing, altering, transferring, or
24 otherwise disposing of, in any manner, any books, records, computer programs, computer files,
25 computer print-outs, correspondence, brochures, manuals, or any other writings or documents of any
26 kind as defined under California Evidence Code section 250 relating to the transactions and course
27 of conduct as alleged in this Complaint.

28 B. Pursuant to Corporations Code section 25530, subsection (a), for a

1 Preliminary and Permanent Injunction, restraining and enjoining Defendants Gerard Suite and
2 Technology Communication Management, L.L.C. from violating the July 25, 2006 Desist and
3 Refrain Order issued by the California Corporations Commissioner against Technology
4 Communication Management, L.L.C. and Gerard Suite; and

5 C. Pursuant to Corporations Code section 25530, subsection (a), for a
6 Preliminary and Permanent Injunction, restraining and enjoining Defendant Gerard Suite from
7 violating California Corporations Code section 25230 by conducting business as an investment
8 adviser in this state without first having applied for and secured from the commissioner a certificate,
9 then in effect, authorizing him to conduct business as an investment adviser.

10 D. For a Final Judgment requiring Defendants and each of them, and such Does
11 as may be subsequently named, individually, jointly and severally, to rescind each and all of the
12 unlawful transactions alleged in this Complaint, as shall be determined by this Court to have
13 occurred, and further requiring Defendants, jointly and severally, to pay full restitution to each
14 person determined to have been subject to Defendants' acts or practices which constitute violations
15 of the Corporations Code, with the total amount of funds being at least \$253,437.44, or according to
16 proof.

17 E. For a Final Judgment requiring Defendants to pay \$25,000 to the Department
18 of Corporations as a civil penalty for each act in violation of the CSL as authorized by Corporations
19 Code section 25535, as follows:

20 1. As to the First Cause of Action, against Defendants Gerard Suite, Technology
21 Communication Management, L.L.C., Cashnet Asset Management, Inc., Discover Business
22 Solutions, Inc., Discover Portfolio Services, LP, and Windsor Equity Partners, Inc. and such Does as
23 may be subsequently named, to be jointly and severally liable for at least \$850,000 for at least 34
24 violations of California Corporations Code section 25110, or other amount according to proof;

25 2. As to the Second Cause of Action, against Defendants Gerard Suite,
26 Technology Communication Management, L.L.C., Cashnet Asset Management, Inc., Discover
27 Business Solutions, Inc., Discover Portfolio Services LP, and Windsor Equity Partners, Inc. and such
28 Does as may be subsequently named, to be jointly and severally liable for at least \$850,000 for at

1 least 34 violations of California Corporations Code section 25401, or other amount according to
2 proof;

3 3. As to the Third Cause of Action, against Defendant Gerard Suite, for at least
4 \$850,000 for at least 34 violations of California Corporations Code section 25230, or other amount
5 according to proof.

6 F. For a Final Judgment requiring Defendants Gerard Suite, Technology
7 Communication Management, L.L.C., and such Does as may be subsequently named, to pay \$25,000
8 to the Department of Corporations as a civil penalty for each act in violation of the July 25, 2006
9 Desist and Refrain Order issued by the California Corporations Commissioner against Technology
10 Communication Management, L.L.C. and Gerard Suite as authorized by Corporations Code section
11 25535 in an amount of at least \$150,000 for at least 6 violations of the July 25, 2006 Desist and
12 Refrain Order issued by the California Corporations Commissioner against Technology
13 Communication Management, L.L.C. and Gerard Suite, or other amount according to proof;

14 G. For costs and attorneys fees according to law;

15 H. For an Order that this court will retain jurisdiction of this action in order to
16 implement and carry out the terms of all orders and decrees that may be entered herein or to entertain
17 any suitable application or motion by Plaintiff for additional relief within the jurisdiction of this
18 Court; and

19 I. For such other and further relief as this Court may deem necessary and proper.
20

21 Dated: January 12, 2011
22 Los Angeles, California

PRESTON DUFAUCHARD
California Corporations Commissioner

23
24 By: _____
25 Johnny Vuong
26 Corporations Counsel
27 Attorneys for Plaintiff
28