

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: Mark Hirokawa  
John H. Tran  
U.S. Financial Management, Inc.  
U.S. Financial Management  
3131 Camino Del Rio North, Suite 1500  
San Diego, CA 92108  
and  
www.usfmgroup.com

**DESIST AND REFRAIN ORDER**  
**(For violations of section 12200 of the California Financial Code)**

The California Corporations Commissioner finds that:

1. At all relevant times, John H. Tran (“Tran”) was the Chairman of the Board of U.S. Financial Management, Inc., a for-profit California corporation, incorporated on February 26, 2002. Tran is also the owner of the San Diego fictitious business name, U.S. Financial Management, filed on March 27, 2001. U.S. Financial Management, Inc. and U.S. Financial Management maintain a principal place of business at 3131 Camino Del Rio North, Suite 1500, San Diego, CA 92108 and a website at www.usfmgroup.com.
2. At all relevant times, Mark Hirokawa was the President of U.S. Financial Management, Inc.
3. The above-named entities and individuals, working in concert or in participation among themselves or with others, engaged in business as a prorate as described below.
4. The above-named entities and individuals offered their services to consumers residing in the State of California through advertisements on the Internet at www.usfmgroup.com and a toll free telephone number.

1           5.       To start the “settlement process” and in exchange for these services, consumers were  
2 charged and required to pay an administrative fee, or a “settlement fee,” to the above-named entities  
3 and individuals.

4           6.       As part of the “settlement process” the above-named entities and individuals, working  
5 in concert or in participation among themselves or with others received money, or “settlement funds,”  
6 from consumers for the purpose of negotiating and paying the consumers’ creditors.

7           7.       The California Corporations Commissioner has jurisdiction over and regulates  
8 proraters under the Check Sellers, Bill Payers and Proraters Law (California Financial Code section  
9 12000 et seq.). California Financial Code section 12002.1 states:

10                   A prorater is a person who, for compensation, engages in whole or  
11 in part in the business of receiving money or evidences thereof for  
12 the purpose of distributing the money or evidences thereof among  
13 creditors in payment or partial payment of the obligations of the  
debtor.

14           8.       California Financial Code section 12200 states:

15                   No person shall engage in the business, for compensation, of selling  
16 checks, drafts, money orders, or other commercial paper serving the  
17 same purpose, or of receiving money as agent of an obligor for the  
18 purpose of paying bills, invoices, or accounts of such obligor, or  
19 acting as a prorater, nor shall any person, without direct  
20 compensation and not as an authorized agent for a utility company,  
accept money for the purpose of forwarding it to others in payment  
of utility bills, without first obtaining a license from the  
commissioner.

21           9.       The Commissioner has not issued a license to U.S. Financial Management, Inc., U.S.  
22 Financial Management, Mark Hirokawa or John H. Tran to engage in business as a prorater.

23           Based upon the foregoing findings, the Commissioner is of the opinion that U.S.  
24 Financial Management, Inc., U.S. Financial Management, Mark Hirokawa and John H. Tran  
25 working in concert or in participation among themselves or with others, engaged in business as a  
26 prorater as defined in the Check Sellers, Bill Payers and Proraters Law without a license from the  
27 Commissioner.

28       ///

1 Pursuant to California Financial Code section 12103, the Commissioner hereby orders  
2 U.S. Financial Management, Inc., U.S. Financial Management, Mark Hirokawa and John H.  
3 Tran, individually, working in concert or in participation among themselves or with others, to  
4 desist and refrain from engaging in business as a prorater unless and until they are licensed or  
5 exempt.

6 This Order is necessary, in the public interest, and for the protection of consumers.

7 Dated: June 2, 2010

8 Los Angeles, California

9

PRESTON DuFAUCHARD  
California Corporations Commissioner

10

11

By \_\_\_\_\_  
ALAN S. WEINGER  
Deputy Commissioner

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28