

1 5. According to the “financing agreement,” investors were entitled to recover their
2 investor contribution on a pro rata basis after applicable fees and expenses were deducted from the
3 movie’s profits.

4 6. Beginning on or about April 2014, Untouchable Films and Chonacas offered and sold
5 securities to investors in the form of “financing agreements” to at least one California resident.
6 Untouchable Films and Chonacas claimed their investment opportunity in “Crash the Sky” was
7 guaranteed “not to lose money.”

8 7. In connection with the offer and sale of these securities, Untouchable Films and
9 Chonacas made, or cause to be made, misrepresentations of material fact or omitted to state material
10 facts necessary in order to make the statements made, in the light of the circumstances under which
11 they were made, not misleading. These misrepresentations and omissions included, but are not
12 limited to the following:

13 (a) Untouchable Film and Chonacas misrepresented to investors that financing and
14 producing the movie “Crash the Sky” was a safe investment and guaranteed “not to lose money.”

15 (b) Untouchable Film and Chonacas misrepresented that investors could recover
16 their investment principal even if the movie “Crash the Sky” was not made.

17 (c) Untouchable Films and Chonacas omitted to state the material fact that the
18 California Franchise Tax Board had suspended Untouchable Film’s powers, rights, and privileges on
19 March 1, 2013, pursuant to the provisions of the California Revenue and Taxation Code.

20 Based on the foregoing findings, the Commissioner of Business Oversight is of the opinion
21 that the securities offered by Untouchable Films, LLC and Timothy Raymond-Presnel Chonacas were
22 offered in this state by means of written or oral communications that included untrue statements of
23 material fact or omitted to state material facts necessary in order to make the statements made, in the
24 light of the circumstances under which they were made, not misleading, in violation of section 25401
25 of the Corporate Securities Law of 1968.

26 Pursuant to section 25532 of the Corporate Securities Law of 1968, Untouchable Films, LLC
27 and Timothy Raymond-Presnel Chonacas, are hereby ordered to desist and refrain from offering or
28 selling or buying or offering to buy any security in the State of California, including but not limited

1 to, “financing agreements” in Untouchable Films, LLC by means of any written or oral
2 communication which includes an untrue statement of a material fact or omits to state a material fact
3 necessary in order to make the statements made, in the light of the circumstances under which they
4 were made, not misleading.

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

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Dated: November 27, 2017
Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division