

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

7 Attorneys for the People of the State of California
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF SAN DIEGO

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA, by and through the
CALIFORNIA CORPORATIONS
13 COMMISSIONER,

14 Petitioner,

15 vs.

16 U.S. FINANCIAL MANAGEMENT, INC. and
U.S. FINANCIAL MANAGEMENT,

17 Respondents.
18

Case No.: 37-2007-00078116-CU-PT-CTL

[PROPOSED] ORDER TO PRODUCE:
NUMBER ONE

Hearing Date: November 27, 2007
Hearing Time: 2:30 p.m.
Dept: 25
Judge: Rafael A. Arreola

19
20 TO ALL PARTIES AND THEIR COUNSEL OF RECORD, this matter came on regularly, in
21 Department 25 of the Superior Court of the State of California for the County of San Diego on
22 November 27, 2007 at 2:30 p.m. Based upon the pleadings, exhibits, declaration, the Court's file,
23 arguments of counsel presented and upon RESPONDENTS', U.S. FINANCIAL MANAGEMENT,
24 INC. and U.S. FINANCIAL MANAGEMENT, failure to show cause why this Order should not be
25 entered,

26 ///

27 ///

28 ///

1 IT IS HEREBY ORDERED that RESPONDENTS shall produce all documents required by
2 the Subpoena Duces Tecum issued on July 28, 2007, by the California Corporations Commissioner,
3 as follows:

4 1. (Request Number 3 of the Subpoena Subpoena Duces) A list containing the contact
5 information, including names, addresses and telephone numbers, of past and current out-of-state
6 prorating clients;

7 2. (Request Number 4) Copies of all executed applications, contracts or other agreements—
8 specifically documents entitled “Contract for Services,” “Assigned Creditor List,” “Authorization
9 Form,” “Power of Attorney,” “Electronic Payment Processing Authorization” and “Agreement to Set
10 Aside Funds”—entered into between RESPONDENTS and past and current out-of-state prorating
11 clients;

12 3. (Request Number 5) Copies of all reports, records, statements—specifically documents
13 entitled “Fee Account Summary,” “Summary for Trust Account” and “Trust Account Summary,”—
14 or other documents reflecting payment of settlement fees by past and current out-of-state prorating
15 clients;

16 4. (Request Number 6) Copies of all reports, records, statements, including trust account
17 summaries, or other documents reflecting payment of settlement funds by past and current out-of-
18 state prorating clients;

19 5. (Request Number 7) Copies of all versions of all scripts, training materials and other
20 documents used by RESPONDENTS’ agents, and employees, including client service
21 representatives, to solicit past and current out-of-state prorating clients. This list should include the
22 dates that each version was employed or utilized by RESPONDENTS;

23 6. (Request Number 9) Copies of all reports, records, statements or other documents
24 reflecting transfers of settlement funds, by RESPONDENTS, from a past or current out-of-state
25 prorating client’s trust account to a client’s creditors;

26 7. (Request Number 10) Copies of all versions of all scripts, brochures, advertising materials,
27 summaries, booklets, illustrations, and other documents—specifically documents entitled “Client
28 Services Welcome Package,”—describing RESPONDENTS’ services to past and current out-of-state

1 prorating clients, including but not limited to the following: Debt Mastery program; Credit
2 Negotiation program; and My Debt Negotiation program. This list should include the dates that each
3 version was employed or utilized by RESPONDENTS;

4 8. (Request Number 11) Copies of all audited and un-audited financial statements, including
5 but not limited to, balance sheets, income statements and statements of cash flow;

6 9. (Request Number 12) Copies of all general ledgers, general journals, cash receipt journals
7 and cash disbursement journals;

8 10. (Request Number 14) A list of all RESPONDENTS' "affiliates,"—specifically Eastbay
9 Financial Management, Inc., Ray of Hope 4U Financial Solutions, Inc. and U.S. Financial, Inc. This
10 list should include the dates of affiliation; and

11 11. (Request Number 15) A list of all accounts maintained by RESPONDENTS with any
12 bank, savings and loan association or any other financial institution. This list should include the
13 account number(s), financial institution(s) where the account(s) are located, and the name(s)
14 associated with ach account.

15 The documents shall be produced at the office of the Department of Corporations at 1350
16 Front Street, Suite 2034, San Diego, CA 92101 on or before _____,
17 at 10:00 a.m.

18 IT IS FURTHER ORDERED that copies of this Order to Produce shall be served on
19 RESPONDENTS, U.S. FINANCIAL MANAGEMENT, INC. and U.S. FINANCIAL
20 MANAGMENT, by certified mail on or before _____.

21
22 Date: _____

23
24 JUDGE OF THE SUPERIOR COURT
25
26
27
28