

1 MARY ANN SMITH
Deputy Commissioner
2 SEAN ROONEY
Assistant Chief Counsel
3 JOYCE TSAI
Senior Corporations Counsel (SBN 241908)
4 DEPARTMENT OF BUSINESS OVERSIGHT
1350 Front Street, Suite 2034
5 San Diego, CA 92101
Telephone: (619) 525-4043
6

7 Attorneys for Complainant

8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

11 In the Matter of the Desist and Refrain Order) OAH CASE NO. 2013120577
12 against)
13)
14) **STIPULATED SETTLEMENT**
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

19
20 IT IS HEREBY STIPULATED AND AGREED by and between James M. Clark and
21 Western America Equities LLC (hereinafter collectively, "Respondents") and the Commissioner of
22 Business Oversight (hereinafter the "Commissioner") as follows:

- 23 1. The California Department of Business Oversight has jurisdiction over Respondents
24 and over the subject matter of this Stipulated Settlement (hereinafter the "Stipulation");
25 2. Respondents hereby waive their rights to contest the Desist and Refrain Order
26 (hereinafter the "Order"), in the form attached hereto as Exhibit A, including the right to request a
27 hearing pursuant to California Corporations Code sections 25532, subdivision (f) and 25609, and
28

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

10. This Stipulation may be executed in one or more counterparts, each of which shall be an original but all of which, together, shall be deemed to constitute a single document. A faxed or emailed copy of a signature shall be deemed the same as an original signature.

JAN LYNN OWEN
Commissioner of Business Oversight

Dated: 5/5/14

By _____
Mary Ann Smith
Deputy Commissioner

WESTERN AMERICA EQUITIES LLC
JAMES M. CLARK

Dated: 4/28/2014

By _____
James M. Clark, an individual and on behalf of
Western America Equities LLC