

1 STATE OF CALIFORNIA
2 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
3 DEPARTMENT OF CORPORATIONS
4

5 TO: HOWARD WILLERS
6 9899 Santa Monica Blvd., #1108
7 Beverly Hills, CA 90212
8

9 **DESIST AND REFRAIN ORDER**

10 **(For violations of sections 25210 and 25401 of the Corporations Code)**

11 The California Corporations Commissioner finds that:

- 12 1. Howard Willers possessing no certificate as a broker-dealer or agent offered and sold
13 to a resident of California securities in the form of viaticals issued by The Alpha Capital
14 Group, LLC by means of an oral communication containing false statements.
- 15 2. Beginning in or about December 1998, Howard Willers offered and sold securities in
16 the form of viaticals issued by The Alpha Capital Group, LLC. The dates of the transactions
17 are December 16, 1998, and January 21, 1999.
- 18 3. Howard Willers told an investor that he is a licensed financial broker and that the
19 principal is not at risk. In fact, Howard Willers did not have a license to sell securities and
20 the principal was at risk.

21 Based upon the foregoing findings, the California Corporations Commissioner is of
22 the opinion that Howard Willers has effected a transaction in a security as a broker-dealer
23 without first having applied for and secured from the Commissioner a certificate, then in
24 effect, authorizing him to act in that capacity, in violation of section 25210 of the Corporate
25 Securities Law of 1968. Pursuant to Section 25532 of the Corporate Securities Law of
26 1968, Howard Willers is hereby ordered to **DESIST and REFRAIN** from effecting any
27 transaction in, or inducing or attempting to induce the purchase or sale of, any security in
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1 this state, unless and until he has applied for and secured from the Commissioner a
2 certificate, then in effect, authorizing him to act in that capacity.

3 Further, Howard Willers offered and sold the security of The Alpha Capital Group,
4 LLC in this State by means of written or oral communications which included untrue
5 statements of a material fact or omitted to state a material fact necessary in order to make
6 the statements made, in light of the circumstances under which they were made, not
7 misleading, in violation of section 25401 of the Corporate Securities Law of 1968. Pursuant
8 to Section 25532 of the Corporate Securities Law of 1968, Howard Willers is hereby ordered
9 to **DESIST and REFRAIN** from offering and selling any security in the State of California,
10 including but not limited to, by means of any written or oral communication which includes
11 an untrue statement of a material fact or omits to state a material fact necessary in order to
12 make the statements made, in light of the circumstances under which they were made not
13 misleading.

14 This Order is necessary, in the public interest, for the protection of investors and
15 consistent with the purposes, policies, and provisions of the Corporate Securities Law of
16 1968.

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18 Dated: December 24, 2002

19 Sacramento, California

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21 DEMETRIOS A. BOUTRIS
22 California Corporations Commissioner

23
24 By _____
25 VIRGINIA JO DUNLAP
26 Supervising Counsel
27 Enforcement and Legal Services
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