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California Corporations Commissioner
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9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

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12 In the Matter of the Accusation of THE
CALIFORNIA CORPORATIONS
COMMISSIONER,

) File No.: 963-1944

13

14 Complainant,

) **ORDER IMPOSING PENALTIES**
) **PURSUANT TO CALIFORNIA FINANCIAL**
) **CODE SECTION 17408**

15

16 v.

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18 WEST ESCROW, INC.,

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20 Respondent.

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22 TO: WEST ESCROW, INC.
23 315 S. Beverly Drive, Suite 515
24 Beverly Hills, California 90212

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26 NOW THEREFORE the California Corporations Commissioner ("Commissioner") having
27 found that West Escrow, Inc. ("West Escrow") failed to file its annual audit report containing audited
28 financial statements ("audit report") for its fiscal year ended February 28, 2007 as required by
Financial Code section 17406, it is hereby ordered, pursuant to Financial Code section 17408, that
West Escrow pay the Commissioner the sum of \$9,000.00, plus an additional \$100.00 for each day
after September 13, 2007 that the audit report is not filed.

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1 Pursuant to Financial Code section 17406, West Escrow was required to submit its audit
2 report for the fiscal year ended February 28, 2007 to the Commissioner on or before June 15, 2007.

3 The Commissioner notified West Escrow in writing on or about January 25, 2007 of the due
4 date of the audit report as well as the possibility of the imposition of fines if the audit report was filed
5 late. To date, West Escrow has yet to file its audit report with the Commissioner.

6 Financial Code section 17408, subdivisions (b) - (e) provide as follows:

7 (b) The commissioner may impose, by order, a penalty on any person who
8 fails, within the time specified in any written demand of the commissioner, (1)
9 to make and file with the commissioner any report required by law or
10 requested by the commissioner . . . The amount of the penalty may not exceed
11 one hundred dollars (\$100) for each day for the first five days the report or
information is overdue, and thereafter may not exceed five hundred dollars
(\$500) for each day the report or information is overdue.

12 (c) If, after an order has been made under subdivision (b), a request for
13 hearing is filed in writing within 30 days of the date of service of the order by
14 the person to whom the order was directed, a hearing shall be held in
15 accordance with the Administrative Procedure Act, Chapter 5 (commencing
with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code,
and the commissioner shall have all the powers granted under that chapter.

16 (d) If the person fails to file a written request for a hearing within 30 days
17 of the date of service of the order, the order imposing the penalty shall be
18 deemed a final order of the commissioner, and the penalty shall be paid within
five business days.

19 (e) If a hearing is requested, the penalty shall be paid within five business
20 days after the effective date of any decision in the case ordering payment to be
21 made.

22 DATED: September 13, 2007
23 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

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25 By _____
26 Alan S. Weinger
27 Lead Corporations Counsel
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