

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

**TO: William D. Yotty a.k.a W.D. Yotty or Will Yotty
Gregory M. Mooney a.k.a Greg Mooney
Fortuno, Inc.
112 N. Curry Street
Carson City, Nevada, 89703**

and

1330 South Ham Lane, Ste. 103
Lodi, CA 95242

**DESIST AND REFRAIN ORDER
(For violations of sections 25110 and 25401 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. At all relevant times, Fortuno, Inc., (“Fortuno”) is or was a Nevada corporation with an address of record of 112 N. Curry Street, Carson City, Nevada, and with a principal place of business located at 1330 South Ham Lane, Ste. 103, Lodi California.

2. At all relevant times, William D. Yotty a.k.a W.D. Yotty or Will Yotty (“Yotty”), is or was the president, director, treasurer, secretary, and representative of Fortuno and purportedly transacts business from 112 N. Curry Street, Carson City, Nevada and from 1330 South Ham Lane, Ste. 103, Lodi, California.

3. At all relevant times, Gregory M. Mooney a.k.a Greg Mooney (“Mooney”), is or was a representative of Fortuno with a principal place of business located at 1330 South Ham Lane, Ste. 103, Lodi California, and purportedly conducts business throughout Central and Southern California.

4. Beginning in or about 2009, Fortuno, Yotty and Mooney offered and sold investment contacts in the form of purchase agreements relating to real estate. Specifically, pursuant to the terms of these investment contracts in the form of purchase agreements, a California investor would pay to Fortuno at least \$30,000.00 for the purpose of investing in the purchase of a least one (1) foreclosed

1 or distressed home located out of state, in exchange for a monthly profit on monies invested. Fortuno
2 would repair and maintain purchased properties(s) and remit a portion of monthly profits based on
3 monies invested to California investors from rental or sale of the purchased properties.

4 5. Beginning in or about 2009, Fortuno, Yotty and Mooney, offered and sold the above
5 described investment contracts in the form of purchase agreements in the State of California.

6 6. These investment contracts in the form of purchase agreements were offered and sold in
7 California in issuer transactions. The Department of Corporations has not issued a permit or other
8 form of qualification authorizing any person to offer and sell these investment contracts in the form
9 of purchase agreements in California.

10 7. Beginning in or about 2006, Fortuno and Mooney misrepresented to investors that investors
11 would receive a profitable return on their investment, and each investor would receive monthly
12 income as profit from their initial investment.

13 Based on the foregoing findings, the California Corporations Commissioner finds that the
14 investment contracts in the form of purchase agreements sold by Fortuno, Inc., William D. Yotty
15 a.k.a W.D. Yotty or Will Yotty, and Gregory M. Mooney a.k.a Greg Mooney are securities subject to
16 qualification under the California Corporations Code. These securities are or were offered and sold
17 without being qualified or exempt, in violation of Section 25110 of the California Corporations Code.

18 Pursuant to section 25532 of the California Corporations Code, Fortuno, Inc., William D.
19 Yotty a.k.a W.D. Yotty or Will Yotty, and Gregory M. Mooney a.k.a Greg Mooney are hereby
20 ordered to desist and refrain from the further offer or sale in the State of California of securities,
21 including investment contracts in the form of purchase agreements, unless and until qualification has
22 been made under said law or unless exempt.

23 Further, the California Corporations Commissioner is of the opinion that the securities in the
24 form of purchase agreements were offered or sold in this State by means of a written or oral
25 communication which included an untrue statement of material fact or omitted to a state material fact
26 necessary to make the statement made, in the light of the circumstances under which they were made,
27 not misleading, in violation of section 25401 of the Corporate Securities Law of 1968.

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Pursuant to section 25532 of the Corporate Securities Law of 1968, Fortuno, Inc. and Gregory M. Mooney a.k.a Greg Mooney are hereby ordered to desist and refrain from offering or selling or buying or offering to buy any security in the State of California, including but not limited to investment contracts in the form of purchase agreements, by means of any written or oral communication which includes an untrue statement of material fact or omits to state a material fact necessary in order to make the statements made, in the light of circumstances under which they were made, not misleading.

This Order is necessary, in the public interest, for the protection of investors and consistent with the purposes, policies, and provisions of the California Corporations Code.

Dated: July 17, 2012
Sacramento, California

JAN LYNN OWEN
California Corporations Commissioner

By _____

ALAN S. WEINGER
Deputy Commissioner
Enforcement Division