

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

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

**TO: Alpha International Investments, Inc.**  
**Lans Capital & Investments, Inc.**  
**Mariana La Luz**  
**Luis G. Borrayo**

2535 Kettner Blvd., Suite 3A4  
San Diego, CA 92101

5545 Pray Street  
Bonita, CA 91902

919 Monserate Avenue  
Chula Vista, CA 91911

**DESIST AND REFRAIN ORDER**

**(For violations of sections 25110, 25401 and 29535 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. At all relevant times herein, Alpha International Investments, Inc. (“Alpha”) was a California corporation with its principal place of business at 2535 Kettner Blvd., Suite 3A4, San Diego, California 92101 and 5545 Pray Street, Bonita, California 91902.

2. At all relevant times herein, Lans Capital & Investments, Inc. (“Lans”) was a California corporation with its principal place of business at 2535 Kettner Blvd., Suite 3A4, San Diego, California 92101 and 919 Monserate Avenue, Chula Vista, California 91911.

3. At all relevant times herein, Mariana La Luz (“La Luz”) was the president and control person of Alpha.

4. At all relevant times herein, Luis G. Borrayo (“Borrayo”) was the president and control person of Lans.

5. Commencing in or about 2007, Alpha, Lans, La Luz and Borrayo offered and sold securities in the form of investment contracts consisting of interests in limited partnerships in the State of California.

1           6.       The purported purpose of the offering was to invest in commodities, namely foreign  
2 currency (“forex”), in the “Foreign Exchange spot market.”

3           7.       Forex is a commodity within the meaning of Section 29504 of the California  
4 Commodity Law of 1990.

5           8.       Alpha, Lans, La Luz and Borraro raised approximately \$4,500,000.00 for investment  
6 in forex futures contracts. La Luz claims she sent fifty percent (50%) of investors’ funds raised by  
7 Alpha, Lans, La Luz and Borraro to Amin Ramji, in Canada, to be traded.

8           9.       Corporations Code section 29535 states no person shall engage in the trade or business  
9 or otherwise act as a commodity merchant unless the person is registered or temporarily licensed with  
10 the Commodity Futures Trading Commission (“CFTC”) for each activity constituting that person as a  
11 commodity merchant and the registration or temporary license has not expired, been suspended, or  
12 revoked; or the person is exempt from the registration by virtue of the Commodity Exchange Act or  
13 of a CFTC rule.

14           10.      Alpha, Lans, La Luz and Borraro engaged in the business or acted as commodity  
15 merchants as defined by Corporations Code section 29509. Alpha, Lans, La Luz and Borraro are not  
16 registered or licensed with the CFTC.

17           11.      These securities were offered and sold in this state in issuer transactions. The  
18 Department of Corporations has not issued a permit or other form of qualification authorizing any  
19 person to offer or sell these securities in this state.

20           12.      In connection with the offer or sale of these securities, Alpha, Lans, La Luz, and  
21 Borraro made the following material misrepresentations:

22               a.       “RISK OF DEPOSIT shall not be greater than or exceed 25%” of the  
23 investor’s capital investment.

24               b.       Four percent (4%) monthly returns were guaranteed.

25               c.       Investors could opt to withdraw their investments if the return was less than  
26 one percent (1%) per week.

27               d.       Investments had a fifty-two percent (52%) rate of return per year.

28           Based upon the foregoing findings, the California Corporations Commissioner is of the  
opinion that the interests in the limited partnerships are securities subject to qualification under the

1 California Corporate Securities Law of 1968 and are being or have been offered or sold without being  
2 qualified in violation of Corporations Code section 25110. Pursuant to Section 25532 of the  
3 California Corporations Code, Alpha International Investments, Inc., Lans Capital & Investments,  
4 Inc., Mariana La Luz, and Louis G. Borrayo are hereby ordered to desist and refrain from the offer or  
5 sale of securities in the State of California, including, but not limited to investment contracts  
6 consisting of interests in limited partnerships, unless and until qualification has been made under said  
7 law, or unless exempt.

8 Further, based upon the foregoing, the California Corporations Commissioner is of the  
9 opinion that Alpha International Investments, Inc., Lans Capital & Investments, Inc., Mariana La  
10 Luz, and Louis G. Borrayo offered and sold securities by means of oral and written communications  
11 including untrue statements of material fact necessary in order to make the statements made, in the  
12 light of the circumstances under which they were made, not misleading, in violation of section 25401  
13 of the Corporate Securities Law of 1968. Pursuant to Corporations Code section 25532, Alpha  
14 International Investments, Inc., Lans Capital & Investments, Inc., Mariana La Luz, and Louis G.  
15 Borrayo are hereby ordered to desist and refrain from offering or selling or buying or offering to buy  
16 any securities in the State of California, including, but not limited to, investment contracts consisting  
17 of interests in limited partnerships, by means of any written or oral communication which includes an  
18 untrue statement of a material fact or omits to state a material fact necessary in order to make the  
19 statements made, in the light of the circumstances under which they were made, not misleading.

20 In addition, based upon the foregoing findings, the California Corporations Commissioner is  
21 of the opinion that Alpha International Investments, Inc., Lans Capital & Investments, Inc., Mariana  
22 La Luz, and Louis G. Borrayo have engaged in a trade or business or otherwise acted as commodity  
23 merchants without being registered, licensed or exempt, in violation of Corporations Code section  
24 29535. Pursuant to Corporations Code section 29542, Alpha International Investments, Inc., Lans  
25 Capital & Investments, Inc., Mariana La Luz, and Louis G. Borrayo are hereby ordered to desist and  
26 refrain from engaging in a trade or business or otherwise acting as a commodity merchant in the State  
27 of California unless registered or licensed with the Commodity Futures Trading Commission, or  
28 unless exempt.

1           This Order is necessary, in the public interest, for the protection of investors and consistent  
2 with the purposes, policies, and provisions of California Commodity Law of 1990 and the Corporate  
3 Securities Law of 1968.

4  
5 Dated: July 27, 2011  
6 Los Angeles, California

PRESTON DuFAUCHARD  
California Corporations Commissioner

7  
8 By \_\_\_\_\_  
9 ALAN S. WEINGER  
10 Deputy Commissioner  
11 Enforcement Division  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28