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

TO: David Scott Barber, Manager
Matin Investments, LLC
1436 2nd Street, Suite 181
Napa, California 94559
And
2933 Brookwood Drive
Napa, California 94558

DESIST AND REFRAIN ORDER
(For violations of section 25401 of the Corporations Code)

The California Corporations Commissioner finds that:

1. David Scott Barber is an owner and sole manager of Matin Investments, LLC, a California limited liability corporation. Matin Investments, LLC was first incorporated on April 24, 2008 but its corporate status was subsequently canceled. It filed for incorporation again on September 30, 2009 and its corporate status is currently “active” according to records of the California Secretary of State. Its registered business address with the California Secretary of State is 1436 2nd Street, Suite 181, Napa, California 94559 and it also listed 2933 Brookwood Drive, Napa, California 94558 as its business address on documents provided to investors and as the address for its agent for service of process, David Scott Barber.

2. In or about 2008, David Scott Barber and Matin Investments, LLC offered and sold investments which included “Investment Agreements” in Matin Investments, LLC to members of the general public. The Investment Agreements terms included that the investor would receive 2 shares of common stock in Matin Investments, LLC for every dollar invested, in addition to getting all the money invested paid back within 6 months with 15% interest and monthly payments to investors starting within 30 days after the investment is received. During this time David Scott Barber and Matin Investments, LLC also solicited and accepted funds in California to provide investment advice and “financial services” to clients of Matin Investments, LLC. According to promotional materials provided to

1 prospective investors one “offering” called the “monthly income accelerator” was claimed to have
2 doubled all the investors’ money. Other promotional materials claimed their “investment strategy” had a
3 target of 33% per year return on investments. Contrary to these representations, investors who
4 purchased Investment Agreements and shares in Matin Investments, LLC and who had Matin
5 Investments, LLC and David Scott Barber execute investments for them, lost their entire investment.

6 3. The investments offered and sold by David Scott Barber and Matin Investments, LLC
7 including the “Investment Agreements” and stock in Matin Investments, LLC constitute securities.
8 The Department of Corporations previously issued a Desist and Refrain Order dated December 29,
9 2010 to David Scott Barber and Matin Investments, LLC for violation of section 25110 of the
10 Corporations Code prohibiting the sale of unqualified securities as well as violation of section 25230
11 of the Corporations Code for acting as an investment adviser in the State of California without a
12 certificate authorizing them to do so. That order can be viewed at the Department of Corporations
13 website at www.corp.ca.gov/ENF/pdf/2010/MatinInvestments_dr.pdf.

14 4. In addition to the violations of the Corporations Code alleged in the December 29, 2010
15 Desist and Refrain Order referred to above, in or about 2009 David Scott Barber and Matin
16 Investments, LLC and their agents, also offered and sold securities by means of written and oral
17 communications which included untrue statements of material fact and which omitted to state
18 material facts necessary in order to make the statements made, in the light of the circumstances under
19 which they were made, not misleading. The omission of material facts included the failure to inform
20 the investors that David Scott Barber had previously filed for bankruptcy in 2001, and that between
21 1999 and 2004 David Scott Barber had numerous state and federal tax liens filed against him for
22 failure to pay taxes. The untrue statements of material fact made to prospective investors included the
23 fact that prior Matin Investments, LLC investors had received a 50% return on their investment when
24 in fact they had suffered losses.

25 5. David Scott Barber and Matin Investments, LLC are named as defendants in a civil law
26 suit filed on March 15, 2010 in Napa County Superior court by former Matin Investments, LLC
27 investors claiming damages for investment losses. A judgment was entered in that action against
28 David Scott Barber and Matin Investments, LLC for over 1 million dollars on July 14, 2010.

1 Based upon the foregoing findings, the California Corporations Commissioner is of the
2 opinion that David Scott Barber and Matin Investments, LLC offered and sold securities in the form of
3 “Investment Agreements” and stock in Matin Investments, LLC by means of written and oral
4 communications including untrue statements of material facts and omissions of material facts
5 necessary to make the statements not misleading, in violation of section 25401 of the Corporations
6 Code. Pursuant to section 25532 of the Corporate Securities Law of 1968, David Scott Barber and
7 Matin Investments, LLC are hereby ordered to desist and refrain from offering or selling or buying or
8 offering to buy any security in the State of California, including but not limited to “Investment
9 Agreements” and stock in Matin Investments, LLC by means of any written or oral communication
10 which includes an untrue statement of a material fact or omits to state a material fact necessary in
11 order to make the statements made, in the light of the circumstances under which they were made, not
12 misleading.

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

15 Dated: February 24, 2011
16 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

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18 By _____
19 ALAN S. WEINGER
20 Deputy Commissioner
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