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**STATE OF CALIFORNIA**  
**BUSINESS, CONSUMER SERVICERS AND HOUSING AGENCY**  
**DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION**

TO: Craig A. Ponder, Sr.  
FWI Alternative Marketing, LLC  
Ponder Financial & Retirement Firm, Inc.  
3401 Centrelake Drive  
Suite 450  
Ontario, California 91761

and

430 N. Vineyard Avenue  
Suite 301  
Ontario, California 91764

**DESIST AND REFRAIN ORDER**

**(For violations of section 25210 of the Corporations Code)**

The California Commissioner of Financial Protection and Innovation finds that:

1. At all relevant times, Craig A. Ponder, Sr. (Ponder) held an insurance license (#0B99477) issued by the California Department of Insurance.
2. At all relevant times, FWI Alternative Marketing, LLC (FWI) was a California limited liability company that maintained an address at 430 N. Vineyard Avenue, Suite 301, Ontario, California. Ponder was a control person of FWI.
3. At all relevant times, Ponder Financial & Retirement Firm, Inc. (Ponder Financial) was an entity of unknown form that maintained an address at 3401 Centrelake Drive, Suite 450, Ontario, California. Ponder was a control person of Ponder Financial.
4. Beginning in or about 2017, Ponder, FWI, and Ponder Financial effected, induced, or attempted to induce the purchase or sale of securities in at least two businesses, Petro Rock Mineral Holdings, LLC (PRMH) and Future Income Payments, LLC (FIP), to members of the public in the State of California.



1 9. Ponder, FWI, and Ponder Financial received commissions from FIP for selling the FIP  
2 Investment Contracts to members of the public in the State of California.

3 10. In or about May 2019, the United States Attorney for the District of South Carolina filed a  
4 criminal complaint against FIP and its control person Scott Kohn relating to the offer and sale of FIP  
5 Investment Contracts to members of the public, in the case styled *United States v. Scott A. Kohn et*  
6 *al.* A receiver was appointed to seizure all assets relating to the criminal case.

7 11. In or about June 2020, the receiver filed a civil complaint against Ponder and FWI to recover  
8 commissions paid to them by FIP. In or about March 2021, Ponder entered into a settlement with the  
9 receiver, whereby Ponder and FWI agreed to pay \$231,400.00, “arising out of Ponder and FWI’s  
10 participation as sales agents in selling investments created and or managed by Scott A. Kohn, Future  
11 Income Payments, LLC.” The \$231,400.00 consists of commissions Ponder and FWI were paid for  
12 selling securities, in the form of investment contracts, to members of the public in the State of  
13 California.

14 12. At all relevant times, Ponder, FWI, and Ponder Financial did not have a license to effect any  
15 transaction in, or induce or attempt to induce the purchase or sale of any security. Ponder, FWI, and  
16 Ponder Financial were not exempted and did not apply for, or secure from, the Commissioner a  
17 certificate to authorize this type of activity.

18 Based on the foregoing, the California Commissioner of Financial Protection and Innovation  
19 is of the opinion that Craig A. Ponder, Sr., FWI Alternative Marketing, LLC, and Ponder Financial  
20 & Retirement Firm, Inc. have effected, induced or attempted to induce the purchase or sale of  
21 securities as broker-dealers without having first applied for and secured from the Commissioner a  
22 certificate, authorizing these persons to act in that capacity, in violation of section 25210 of the  
23 Corporate Securities Law of 1968 (California Corporations Code section 25000 et seq.).

24 Pursuant to section 25532 of the Corporate Securities Law of 1968, Craig A. Ponder, Sr.,  
25 FWI Alternative Marketing, LLC, and Ponder Financial & Retirement Firm, Inc. are hereby ordered  
26 to desist and refrain from effecting any transaction in, or inducing or attempting to induce the  
27 purchase or sale of, any securities in this state, unless and until they have applied for and secured  
28 from the Commissioner a certificate, then in effect, authorizing these persons to act in that capacity.

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

Dated: August 19, 2021

CHRISTOPHER S. SHULTZ  
Acting Commissioner  
Department of Financial Protection and Innovation



By \_\_\_\_\_  
Mary Ann Smith  
Deputy Commissioner