



**Preston DuFauchard**  
California Corporations Commissioner  
Los Angeles, California

# Deferred Deposit Originator Bulletin

Issue No. 2

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## ***Preston DuFauchard Appointed California Corporations Commissioner***

On June 2, 2006, Governor Schwarzenegger appointed Preston DuFauchard as California Corporations Commissioner. Commissioner DuFauchard most recently served as assistant general counsel for Bank of America, supervising securities litigation related to mergers, investment banking and broker dealer operations from 1997 to 2005. He was previously a partner in the law firm of Landels, Ripley and Diamond from 1995 to 1997 and the law firm of Brobeck, Phleger and Harrison from 1992 to 1995. Commissioner DuFauchard was an associate for Brobeck, Phleger and Harrison from 1984 to 1992. He has served as a member of the board of directors for the Legal Aid Society of San Francisco since 2003 and as a judge pro tem for Alameda County Small Claims Court since 1999.

Commissioner DuFauchard earned a Juris Doctorate degree from Boalt Hall School of Law at the University of California, Berkeley and Bachelor of Arts degree from Stanford University.

## ***Deferred Deposit Transaction Law Advisory Committee Vacancies***

The Commissioner will be filling four vacancies on the California Deferred Deposit Transaction Law (CDDTL) Advisory Committee in the near future. The purpose of the committee is to assist the Commissioner in the implementation of his duties under the CDDTL. The committee is comprised of 10 members and the Commissioner or his designee. Its members, who are appointed by the Commissioner, serve for a period of two years without compensation or reimbursement for expenses. Currently, the committee meets once every quarter. The frequency of the meetings may change depending on the need to meet more or less often.

The CDDTL Advisory Committee will have four vacancies as follows:

1. Two representatives from consumer groups.
2. A representative from a medium sized CDDTL licensee.
3. A representative from a unique CDDTL licensee. This position is for a licensee that engages in deferred deposit business that is different than the traditional manner of conducting deferred deposit business. For example, a licensee that conducts deferred deposit business over the Internet.

If you meet the qualifications for the positions listed above and would like to be considered for the committee, please send a letter indicating your desire to serve and a resume that details your qualifications for the position you are applying for to:

Louisa A. Broudy  
Deputy Commissioner  
Department of Corporations  
320 W. Fourth Street, Suite 750  
Los Angeles, CA 90013

Applications must be received no later than July 31, 2006.

## ***Annual Assessments***

On May 20, 2006, the annual assessment notices were mailed to all licensees. The assessment for the fiscal year 2006/2007 (July 1, 2006 to June 30, 2007) is \$500 for each licensed location. The assessment is due upon receipt of the invoice and becomes delinquent if not paid in full by June 20, 2006. The assessment cannot be paid in installments. The Department may assess a penalty of 1% for each month or partial month payment is received after June 20, 2006. The licenses of those companies that fail to pay the assessment on or before June 30, 2006 may be summarily suspended or revoked.

If you did not receive your assessment notice or have any questions regarding the assessment, please contact the Department at 1-866-ASK-CORP (1-866-275-2677).

## ***Licensing Statistics***

As of May 31, 2006, there were 472 licensed companies and 1,977 additional licensed locations, totaling 2,449 CDDTL licensed locations. The number of licensed locations increased by four during the first five months of 2006. During the first five months of 2006, the Department received 123 license applications that included 40 new company applications.

## ***Enforcement Actions***

The Department has taken the following disciplinary actions under the CDDTL since the last bulletin in March of 2006. The orders are available on the Department's website at <http://www.corp.ca.gov>.

<b>Respondent</b>	<b>Effective Date</b>	<b>Order</b>
Allen C. Nader dba Advance California	March 9, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL.  Notice of Intention to issue order denying CDDTL license application
Bret Allen Bivins dba Check 'Til Payday	March 12, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL
Robert Soltero III dba Fastbuck\$ of Moreno Valley	May 3, 2006	Order revoking California Deferred Deposit Transaction Law license
Timothy Paul Mason Individually and dba  Fastbuck\$ of Moreno Valley	March 17, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL and to  discontinue violations of the CDDTL.
FSM Group, Inc. dba FSM Processing, Inc. Richard Moseley	May 8, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL.
The Jesschex Corporation dba Jesschex Financial	May 23, 2006	Citation and Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL.
M1Y Direct, LLC Mark J. Koetting Daniel Koetting	May 8, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL and to discontinue violations of the CDDTL.
Joanne Turner individually and dba Sonic Payday Limited aka Sonic Payday, LTD	May 10, 2006	Order to desist and refrain from engaging in deferred deposit transaction business without a license under the CDDTL.