TO: Brandon Gutman, Director
Ann Gutman, Director
William Troy, Director
Credit Counseling Express, Inc.
809 East Palmetto Park Road
Boca Raton, Florida 33432

William Troy, President
Brandon Gutman, Registered Agent
American Debt Counselors, Inc.,
Credit Counseling Express, Inc.
www.americandci.com
809 East Palmetto Park Road
Boca Raton, Florida 33432

DESISt AND REFrAIN ORDER
(For violations of section 12200 of the Financial Code)

The California Corporations Commissioner finds that:

1. Brandon Gutman, Ann Gutman and William Troy are Directors of and conducted business as Credit Counseling Express, Inc., a non-profit Florida corporation, with offices located at 809 East Palmetto Park Road, Boca Raton, Florida. Also located at this address is American Debt Counselors, Inc., a for profit corporation. Brandon Gutman serves as the registered agent of American Debt Counselors, Inc., and William Troy serves as its president.

2. The above-described individuals and corporations (hereinafter subjects) in concert or participation, or with others, engaged in activities which are in violation of the Check Sellers, Bill Payers and Proraters Law pursuant to the California Financial Code section 12000 et seq.

3. Subjects offer their services to the general public. These services include working with a consumer and creditors of that consumer to renegotiate debt and arrange a payment schedule that restructures the consumer’s monthly payments to creditors. Subjects also offer their services of arranging for the payment of a consumer’s bills from the funds that a consumer forwards to subjects for such purposes.
4. To promote their services subjects solicit California consumers by offering information to them via the Internet using a variety of domain names affiliated with the Internet Web site for American Debt Counselors, Inc., which is at www.americandci.com. Some of the domain names of subjects’ affiliates include the following: 123awayout.com; 123awayout.net; 123clearoffdebtnow.com; 2minonlinequote.com; 3minquote.com; 4minquote.com; 5reasonstogetout.com; 60percentbillreduction.com; anewwayoutforyou.com; awayawayforyouandme.com; awayoutforyouandme.com; awayoutofdebtfast.com; itseasyas123out.net; letsgetdebtfree.com; weneedthehelp.com; nomoredebtforyou.com; nomoredebtisgood.com; out-outforyouandme.com; outoutforyouandme.com; reducebillsandgetoutofdebt.com; reducemonthlyayments.com; and reduceyourbillstoday.com. They also offer their services via a toll-free number, (877) 955-9777, in addition to other telephone numbers.

5. The services of Credit Counseling Express, Inc., are in part described in a document entitled “Debt Consolidation Agreement” provided to California residents by Credit Counseling Express, Inc. These services involve negotiations of repayment plans with creditors of consumers whereby the directors and Credit Counseling Express, Inc., or others acting in concert or participation with them, will receive money from a consumer for the purpose of negotiating with and paying a consumer’s creditors.

6. According to the agreement of Credit Counseling Express, Inc., a consumer sends to Credit Counseling Express, Inc., a monthly (consolidated) payment in accordance with the creditor payment schedule arranged by Credit Counseling Express, Inc. Thereafter, Credit Counseling Express, Inc., and/or others on behalf of that consumer distribute the payments monthly to the creditors of the consumer.

7. In exchange for these services California consumers were charged and required to pay to Credit Counseling Express, Inc., “a non-refundable initial service fee equal to the 1st payment amount for preparing the initial [sic] monthly payment
8. The Department of Corporations has jurisdiction over and regulates proraters under the Check Sellers, Bill Payers and Proraters Law set forth in the California Financial Code section 12000 et seq. California Financial Code section 12200, states:

No person shall engage in the business, for compensation, of selling checks, drafts, money orders, or other commercial paper serving the same purpose, or of receiving money as agent of an obligor for the purpose of paying bills, invoices, or accounts of such obligor, or acting as a prorater, nor shall any person, without direct compensation and not as an authorized agent for a utility company, accept money for the purpose of forwarding it to others in payment of utility bills, without first obtaining a license from the commissioner.

9. A prorater is defined in Financial Code section 12002.1, which states:

A prorater is a person who, for compensation, engages in whole or in part in the business of receiving money or evidences thereof for the purpose of distributing the money or evidences thereof among creditors in payment or partial payment of the obligations of the debtor.

10. The California Corporations Commissioner has not licensed Brandon Gutman, Ann Gutman, William Troy, Credit Counseling Express, Inc., and American Debt Counselors, Inc., to act as a bill payer or prorater in this State.

11. Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that Brandon Gutman, Ann Gutman, William Troy, Credit Counseling Express, Inc., and American Debt Counselors, Inc., or others acting in concert and/or participation with them, have been engaging in the business of bill paying or prorating, as defined in the Check Sellers, Bill Payers and Proraters Law without a license from the California Corporations Commissioner.
Pursuant to Financial Code section 12103, the California Corporation Commissioner hereby orders Brandon Gutman, Ann Gutman, William Troy, Credit Counseling Express, Inc., American Debt Counselors, Inc., and others acting in concert and/or participation with them, to desist and refrain from engaging in the business as a bill payer and prorater unless and until they are licensed or exempt.

This Order is necessary, in the public interest, and for the protection of consumers.

Dated: January 23, 2004
Los Angeles, California

WILLIAM P. WOOD
California Corporations Commissioner

By________________________________

ALAN S. WEINGER
Supervising Counsel
Enforcement and Legal Services Division