

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF SACRAMENTO

3
4 THE PEOPLE OF THE STATE OF
5 CALIFORNIA, by and through the
6 COMMISSIONER OF BUSINESS
7 OVERSIGHT,

8 Plaintiff,

9 v.

10 BRIAN BERGFALK, an individual; ERIC
11 QUINLAN, an individual; TIOR CAPITAL,
12 LLC, a Nevada limited liability company;
13 TTG SERVICES, LLC., a California limited
14 liability company; INSIGHT CAPITAL,
15 LLC, a Nevada limited liability company;
16 VIN CAPITAL, LLC, a Nevada limited
17 liability company; and, CP INVESTORS,
18 LLC, a Nevada limited liability company,

19 Defendants.

Case No.: 34-2014-00156728

[PROPOSED] ORDER RE:
PERMANENT INJUNCTION

Date: January 17, 2014
Time: 2:00 p.m.
Dept.: 54

FILED

ENDORSED

2014 JAN 17 PM 2:08

SACRAMENTO COURTS

20 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

21 In the above-entitled action, Defendants BRIAN BERGFALK (“BERGFALK”) and ERIC
22 QUINLAN (“QUINLAN”), both individually and doing business as TIOR Capital LLC (TIOR),
23 TTG SERVICES, LLC (“TTG”), INSIGHT CAPITAL, LLC (“INSIGHT”), VIN CAPITAL, LLC
24 (“VIN”), and CP INVESTORS, LLC (“CP”) and Plaintiff, The People of the State of California by
25 and through the California Commissioner of Business Oversight, having stipulated to the entry of
26 this Order Granting Permanent Injunction Against Defendants as follows.

27 IT IS HEREBY ADJUDGED, ORDERED, AND DECREED:

28 1. That Defendants BRIAN BERGFALK (“BERGFALK”) and ERIC QUINLAN
29 (“QUINLAN”), both individually and doing business as TIOR Capital LLC (TIOR), TTG

1 SERVICES, LLC (“TTG”), INSIGHT CAPITAL, LLC (“INSIGHT”), VIN CAPITAL, LLC
2 (“VIN”), and CP INVESTORS, LLC (“CP”), their agents, employees, attorneys in fact, and all
3 persons acting in concert or participating with them, directly or indirectly are hereby permanently
4 enjoined from:
5

6 (a) Violating the California Deferred Deposit Transaction Law (hereinafter referred to as
7 the “CDDTL,” California Financial Code section 23000 *et seq.*)¹ section 23005 by engaging in any
8 business of deferred deposit transactions which is not exempt from the licensing requirements of the
9 CDDTL whether as part of the scheme complained of herein or otherwise, unless and until they shall
10 first have applied for and secured from the Commissioner, a license pursuant to the CDDTL
11 authorizing the engagement in the business of deferred deposit transactions;

12 (b) Violating section 23035, subdivisions (a), (c), (e), (f), (g) and (h), of the CDDTL by
13 originating excessive loans; failing to provide notices to customers as required under this section;
14 using written agreements not in compliance with the provisions of this section and using agreements
15 that contain unconscionable provisions;

16 (c) Violating section 23036 subdivisions (a), (b), and (f) of the CDDTL by charging
17 excessive fees or excessive amounts of interest;

18 (d) Violating, the Desist and Refrain Order issued by Plaintiff to Defendants for
19 violations of the CDDTL, issued February 29th, 2012.

20 2. That the court retains jurisdiction over this action and the parties for the purpose of enforcing
21 the terms of this Order and injunction.

22 IT IS SO ORDERED

23 Date: JAN 17 , 2014

24
25 By: RAYMOND M. CADEI
26 Judge of the Superior Court
27

28 ¹ All further statutory references are to the California Financial Code unless otherwise indicated.