## STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY DEPARTMENT OF BUSINESS OVERSIGHT

TO: Juicy Burgers Temecula, LLC, aka Juicy Burgers America 2307 Fenton Parkway, Suite 10769 San Diego, California 92108

## **DESIST AND REFRAIN ORDER**(For violations of section 31110 of the Corporations Code)

The Commissioner of Business Oversight (Commissioner) finds that:

- 1. At all relevant times, Juicy Burgers Temecula, LLC, aka Juicy Burgers America (Juicy Burgers) was a New Mexico limited liability company located at 2307 Fenton Parkway, Suite 10769, San Diego, California 92108.
- 2. At all relevant times, Juicy Burgers also maintained a website on the internet located at www.juicyburgers.net.
- 3. Beginning in at least March of 2017, Juicy Burgers offered or sold franchise investments through its website, which was accessible within California.
- 4. Juicy Burgers purported to offer and sell licenses for individuals to own and operate hamburger restaurants using the name and trademarks of Juicy Burgers.
- 5. Juicy Burgers gave individuals an opportunity to "start [their] own Juicy Burgers America Restaurant." The website represented that "Juicy Burgers America, is one of the recognized leaders in the Food & Beverage industry. Our Guest Satisfaction and high quality Hamburgers provide today's consumers with high quality food and beverage products. We are very excited about our Multi-Branded License Concept which provides the license owner with many times the potential within a geographic area."
- 6. The "multi-branded license" opportunities offered or sold by Juicy Burgers are franchises within the meaning of Corporations Code section 31005.
- 7. The offers or sales of franchises by Juicy Burgers in California have not been registered under the Franchise Investment Law and are not exempt under Chapter 1, beginning with

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2 Based on the foregoing findings, the Commissioner is of the opinion that Juicy Burgers 3 Temecula, LLC, aka Juicy Burgers America offered or sold franchises in California that are subject to 4 registration under the Franchise Investment Law without the offers first being registered in violation 5 of Corporations Code section 31110. 6 Pursuant to Corporations Code section 31402, Juicy Burgers Temecula, LLC, aka Juicy 7 Burgers America is hereby ordered to desist and refrain from the further offer or sale of franchises 8 unless and until the offers have been duly registered under the Franchise Investment Law. 9 This Order is necessary, in the public interest, for the protection of investors and consistent with the purposes, policies, and provisions of the Franchise Investment Law. 10 11 Dated: June 12, 2019 MANUEL P. ALVAREZ Commissioner of Business Oversight Sacramento, California 12 13 By MARY ANN SMITH 14 **Deputy Commissioner Enforcement Division** 15 16 17 18 19 20 21 22 23 24 25 26 27

Corporations Code section 31100, of that law.