Sent regular + cert mail 11-23-10

ORDER

BEFORE THE ADMINISTRATOR
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF BANKING

TO: New Path Financial, Inc.
1536 E. Warner Avenue, Suite B
Santa Ana, CA 92705
Respondent

PURPOSE

1. This is an order issued by the Administrator, State of Wisconsin, Department of Financial Institutions, Division of Banking and directed to respondent.

JURISDICTION and AUTHORITY

2. The State of Wisconsin, Department of Financial Institutions, Division of Banking ("division") shall enforce all laws relating to adjustment service companies in the State of Wisconsin, and shall enforce and cause to be enforced every law relating to the supervision and control thereof. Sec. 220.02(2)(b), Stats.

3. The intent of s. 220.02(2)(b), Stats., is to give the division jurisdiction to enforce and carry out all laws relating to adjustment service companies in the State of Wisconsin. Sec. 220.02(3), Stats.

4. Respondent is not licensed under s. 218.02, Stats., with the division. Upon information and belief, respondent is located at the address indicated above.

5. Respondent is a regulated entity under the supervision and control of the division. Sec. 220.04(9)(a)2., Stats.

6. It shall be the duty of the division and the division shall have power, jurisdiction and authority to investigate the conditions and ascertain the facts with reference to such companies and upon the basis thereof to issue special orders in execution of or supplementary to s. 218.02, Stats. Sec. 218.02(7), Stats.

FINDINGS

The division finds as follows:

7. On or about January 7, 2010, the division received a complaint filed against respondent by of Milwaukee, Wisconsin. **Ex. 1.** The complaint disclosed respondent's unlicensed adjustment service company activity.

8. On January 14, 2010, the division wrote to respondent concerning the complaint and advised respondent to cease its unlicensed adjustment service company activity, and issue a refund check to . **Ex. 2.**

9. On or about January 22, 2010, the division received a response from respondent. The response included a $213 refund check for and stated "New Path Financial, Inc. no longer conducts business in the state of Wisconsin." **Ex. 3.**

10. On or about November 15, 2010, the division received a complaint filed against respondent by of Milwaukee, Wisconsin. **Ex. 4.** The complaint disclosed that entered into an adjustment service company contract with respondent on February 8, 2010.

11. Pursuant to s. 218.02(2)(a)1., Stats., each adjustment service company shall apply to the division for a license to engage in such business.

12. Respondent violated s. 218.02(2)(a)1., Stats., by conducting adjustment service company business with and without first obtaining a license.

ORDER

Based on the foregoing, IT IS HEREBY ORDERED AS FOLLOWS:

13. Respondent shall not conduct or attempt to conduct adjustment service company business with Wisconsin residents.

14. Respondent shall immediately discontinue any and all violations of s. 218.02, Stats., and ch. DFI-Bkg 73, Admin. Code.

15. Respondent shall issue a refund check to for any and all monies that have been paid to respondent by that have not been remitted to creditors. indicates this amount is $5,145. The refund check shall be forwarded to the division, along with a letter of explanation to and a stamped envelope addressed to The check made payable to the letter, and the stamped envelope shall be received by the division no later than December 23, 2010.

16. Respondent shall refund to any Wisconsin client to whom it provided, or attempted to provide, adjustment service company activity, any and all moneys that have been paid to respondent by said clients that have not been remitted to the clients' creditors. Respondent shall forward to the division the refund checks and stamped envelopes addressed to each client along with letters advising the clients of the refund. The refund checks, client-addressed stamped envelopes, and letters must be received by the division by December 23, 2010.

17. The provisions of this order shall be binding upon respondent and respondent's directors, officers, employees, agents, successors, assigns, and other persons participating in the conduct of its affairs. The provisions of the order shall remain effective and enforceable except to the extent that, and until such time as, any

provisions of this order shall have been modified, terminated, suspended, or set aside by the division.

18. The effective date of this order shall be the date it is served, and service is complete upon mailing. Secs. 227.48(1), Stats., and DFI—Bkg 11.09, Admin. Code.

19. Any person violating any of the provisions of s. 218.02, Stats., shall be punished by a fine of not more than $500 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment. Sec. 218.02(10), Stats.

Dated and mailed at Madison, Wisconsin this 24th day of November, 2010.

By:_____

Michael J. Mach, Administrator
Wisconsin Department of Financial Institutions
Division of Banking
P.O. Box 7876
345 W. Washington Avenue, 4th Floor
Madison, WI 53707-7876
tel. (608) 266-0451
fax (608) 267-6889

APPEAL

The procedures to appeal this order are set forth in s. 227.42, Stats. Pursuant to s. 227.42(1), Stats., any person filing a written request with an agency for hearing shall have the right to a hearing which shall be treated as a contested case if:

(a) A substantial interest of the person is injured in fact or threatened with injury by agency action or inaction;

(b) There is no evidence of legislative intent that the interest is not to be protected;

(c) The injury to the person requesting a hearing is different in kind or degree from injury to the general public caused by the agency action or inaction; and

(d) There is a dispute of material fact.

All four criteria set for in s. 227.42(1), Stats., must be met for a person to have the right to a hearing. In particular, the attention of an individual or entity requesting a hearing is directed to the requirement to demonstrate that there is a dispute of material fact regarding the basis or bases for the action being taken by the division.

The request shall be sent to:

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