

1 State of New Hampshire Banking Department

2 In re the Matter of: )Case No.: 08-211  
 )  
 3 State of New Hampshire Banking Department, )  
 )  
 4 Petitioner, )  
 )  
 5 and )Consent Order  
 )  
 6 Express Consolidation, Inc., Randall L. )  
 )  
 7 Leshin, P.A. (d/b/a RLL), and Randall L. )  
 )  
 8 Leshin, Esq., )  
 )  
 9 Respondents )

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10 CONSENT ORDER

11 The State of New Hampshire Banking Department (the "Department") finds and  
12 Orders as follows:

13 **Respondents**

- 14 1. Express Consolidation, Inc. ("Express") was a corporation duly  
 15 incorporated as a non-profit corporation under the laws of the State  
 16 of Florida on October 12, 2000 with a principal office location in  
 17 Delray Beach, Florida. Express is not registered with the New  
 18 Hampshire Secretary of State and voluntarily dissolved on January 5,  
 19 2012. Express was never licensed by the Department as a Debt Adjuster  
 20 and does not wish to become licensed by the Department.
- 21 2. Randall L. Leshin, P.A. (d/b/a RLL) ("Leshin, P.A."), is a corporation  
 22 duly incorporated in the State of Florida on April 18, 1994 with a  
 23 principal office location Pompano Beach. Leshin, P.A. is not  
 24 registered with the New Hampshire Secretary of State. Leshin, P.A. was  
 25 never licensed by the Department as a Debt Adjuster and does not wish

1 to become licensed by the Department.

2 3. Randall L. Leshin, Esq. ("Leshin") is the President, Director and 100%  
3 owner of Leshin, P.A and the President and Executive Director of  
4 Express. Leshin is an attorney who has been licensed to practice law  
5 in Florida since November 18, 1983. Leshin is not a licensed New  
6 Hampshire attorney.

7 4. Express, Leshin, P.A. and Leshin and all parties have indicated they  
8 are no longer conducting Debt Adjuster activity for New Hampshire  
9 consumers.

10 **Jurisdiction**

11 5. The Department is authorized to regulate debt adjusters pursuant to  
12 RSA Chapter 399-D. RSA 399-D:1 and RSA 399-D:3.

13 6. The Commissioner has jurisdiction to issue orders to  
14 cease and desist from violations under RSA Chapter 399-D and to  
15 assess penalties pursuant to RSA Chapter 399-D. RSA 399-D:13 and RSA  
16 399-D:23.

17 **Facts**

18 7. Express, Leshin, P.A. and Leshin conducted debt adjuster activity for  
19 at least seventy (70) New Hampshire consumers between 2004 and 2007  
20 without a valid Debt Adjuster license issued by the Department.  
21 Express, Leshin, P.A. and Leshin provided copies of New Hampshire  
22 consumer contracts and copies of the New Hampshire consumer fee list,  
23 which represent the New Hampshire consumers from 2004 through 2007.  
24 In each instance, New Hampshire consumers entered into debt adjustment  
25 contracts stating that they were entered into in Florida.

1 8. Pursuant to a request for information, Express, Leshin, P.A. and  
2 Leshin cooperated and provided the requested information.

3 **Violation(s) of Law and Penalties**

4 9. Express, Leshin, P.A. and Leshin are "Persons" as defined by RSA 399-  
5 D:2,VII.

6 10. Express, Leshin, P.A. and Leshin may each be assessed an  
7 administrative fine not to exceed \$2,500.00 for each violation (as set  
8 out by counts in the December 23, 2011 Order to Show Cause and Cease  
9 and Desist) of RSA Chapter 399-D. RSA 399-D:24,IV and V.

10 **Respondents' Consent**

11 11. Express, Leshin, P.A. and Leshin hereby acknowledge that were an  
12 administrative hearing to be held in this matter, the Department would  
13 introduce evidence attempting to demonstrate that Express, Leshin,  
14 P.A. and Leshin violated RSA Chapter 399-D.

15 12. Express, Leshin, P.A. and Leshin hereby acknowledge and do not contest  
16 that Express, Leshin, P.A. and Leshin, operating in Florida, conducted  
17 debt adjuster activities for New Hampshire consumers without a New  
18 Hampshire Debt Adjuster license.

19 13. Express, Leshin, P.A. and Leshin have voluntarily entered into this  
20 Consent Order without reliance upon any discussions between the  
21 Department and Express, Leshin, P.A. and Leshin, without promise of a  
22 benefit of any kind (other than concessions contained in this Consent  
23 Order), and without threats, force, intimidation, or coercion of any  
24 kind. Express, Leshin, P.A. and Leshin further acknowledge their  
25 understanding of the nature of the allegations set forth in this

1 action, including the potential penalties provided by law.

2 14. Express, Leshin, P.A. and Leshin hereby acknowledge, understand, and  
3 agree that there is the right to notice, hearing, and/or a civil  
4 action and hereby waive said rights.

5 **Order**

6 15. **Whereas pursuant to RSA 399-D:13,VI**, finding this Consent Order  
7 necessary, appropriate and in the public interest and consistent with  
8 the intent and purposes of New Hampshire banking laws, the Department  
9 Orders as follows:

10 a. Express, Leshin, P.A. and Leshin each hereby agree to cease and  
11 desist from any future violations of RSA Chapter 399-D in New  
12 Hampshire;

13 b. Express, Leshin, P.A. and Leshin each hereby agree to not  
14 advertise for, solicit or contract with New Hampshire consumers  
15 for debt adjustment services without obtaining a valid New  
16 Hampshire Debt Adjuster license from the Department;

17 c. Express, Leshin, P.A. and Leshin shall jointly pay to the  
18 Department \$400.00 in administrative penalties, payable  
19 contemporaneously with Express', Leshin, P.A.'s and Leshin's  
20 signing of this Consent Order. The check shall be bank check or  
21 guaranteed funds and made payable to "State of New Hampshire;"  
22 and

23 d. Administrative penalties totaling \$175,000.00 shall be held in  
24 abeyance for two (2) years from date of this fully executed  
25 Consent Order as long as Express, Leshin, P.A. and Leshin do not



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Executed this 21st day of February, 2012 by

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Randall L. Leshin, Esquire., on his own behalf and on behalf of Express  
Consolidation, Inc. and Randall L. Leshin, P.A. (d/b/a RLL)

**SO ORDERED.**

\_\_\_\_\_/s/\_\_\_\_\_  
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Dated: 2/24/12

Ronald A. Wilbur,  
Bank Commissioner