

1 State of New Hampshire Banking Department

2	In re the Matter of:	)Case No.: 09-130
		)
3	State of New Hampshire Banking	)
4	Department,	)Order to Show Cause and
		)
5	Petitioner,	)Cease and Desist Order
		)
6	and	)
		)
7	Cashforce USA Inc, Michael M. Melody,	)
		)
8	and Courtney L. Carey,	)
		)
9	Respondents	)

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10 NOTICE OF ORDER

11 This Order to Show Cause and Cease and Desist Order commences an  
12 adjudicative proceeding under the provisions of Chapter 399-A, RSA Chapter  
13 541-A and RSA 383:10-d.

14 LEGAL AUTHORITY AND JURISDICTION

15 Pursuant to RSA 399-A:1,XIV, a small loan means a closed-end loan in  
16 the amount of \$10,000.00 or less or an open-end loan with a line of credit  
17 of \$10,000.00 or less, and where the lender contracts for, exacts or  
18 receives, directly or indirectly, or where the borrower pays for, directly  
19 or indirectly in connection with any such loan any charges, whether for  
20 interest, examination, commission, compensation, service, brokerage,  
21 endorsement fees, other fees, consideration, expense or otherwise, which in  
22 the aggregate are greater than 10 percent per annum except for the lawful  
23 fees, if any, actually and necessarily paid out by the lender to any public  
24 officer, for filing or recording in any public office any instrument  
25 securing such loan and except for the reasonable costs, charges, and

1 expenses, including court costs, actually incurred in connection with a  
2 repossession of the security or an actual sale of the security.

3 Pursuant to RSA 399-A:4,VIII(a), a licensee who ceases to engage in  
4 the business of a small loan lender, payday loan lender, or title loan  
5 lender at any time during a license year for any cause, including but not  
6 limited to bankruptcy, license revocation, or voluntary dissolution, shall  
7 surrender such license in person or by registered or certified mail to the  
8 Commissioner within 15 calendar days of such cessation.

9 Pursuant to RSA 399-A:4,VIII(b), withdrawal of the surrendered  
10 license becomes effective 30 days after receipt of the license by the  
11 Commissioner or within such shorter period of time as the Commissioner may  
12 determine, unless a revocation or suspension proceeding is pending when the  
13 withdrawal is filed or a proceeding to revoke, suspend, or to impose  
14 conditions upon the withdrawal is instituted within 30 days after the  
15 license is surrendered. If a proceeding is pending or instituted,  
16 withdrawal becomes effective at such time and upon such conditions as the  
17 Commissioner by order determines. If no proceeding is pending or  
18 instituted and withdrawal automatically becomes effective, the Commissioner  
19 may nevertheless institute a revocation or suspension proceeding under RSA  
20 399-A:7 within one year after withdrawal became effective and may enter a  
21 revocation or suspension order of the last date on which the license was  
22 effective.

23 Pursuant to RSA 399-A:8-a,I(a), it is unlawful for any person, in  
24 connection with the solicitation, offer, or closing of a loan, directly or  
25 indirectly to employ any device, scheme, or artifice to defraud.

1 Pursuant to RSA 399-A:8-a,I(b), it is unlawful for any person, in  
2 connection with the solicitation, offer, or closing of a loan, directly or  
3 indirectly to make any untrue statement of a material fact or to omit to  
4 state a material fact necessary in order to make the statements made, in  
5 light of the circumstances under which they are made, not misleading.

6 Pursuant to RSA 399-A:8-a,I(c), it is unlawful for any person, in  
7 connection with the solicitation, offer, or closing of a loan, directly or  
8 indirectly to engage in any act, practice, or course of business which  
9 operates or would operate as a fraud or deceit upon any person.

10 Pursuant to RSA 399-A:2,V, any person who willfully violates any  
11 provisions of RSA Chapter 399-A:8-a,I shall be guilty of a class B felony.  
12 Each of the acts specified shall constitute a separate offense and a  
13 prosecution or conviction for any one of such offenses shall not bar  
14 prosecution or conviction of any other offense.

15 RSA 399-A:18,I, any person and the several members, officers,  
16 directors, agents, and employees thereof who shall knowingly violate any  
17 provision of RSA Chapter 399-A, shall be guilty of a misdemeanor if a  
18 natural person, or guilty of a felony if any other person.

19 Pursuant to RSA 399-A:4,VI, persons subject to or licensed by RSA  
20 Chapter 399-A shall abide by the laws, rules, orders of the State of New  
21 Hampshire, as well as federal laws. Any violation of such laws, rules or  
22 orders is a violation of RSA Chapter 399-A.

23 Pursuant to RSA 399-A:7,I, the Commissioner may by order, upon due  
24 notice and opportunity for hearing, assess penalties or deny, suspend, or  
25 revoke any license or application if it is in the public interest and

1 applicant, respondent, or licensee, any partner, member, officer or  
2 director, any person occupying a similar status or performing similar  
3 functions, or any person directly or indirectly controlling the applicant,  
4 respondent or licensee has, inter alia, (b) made a false or misleading  
5 statement to the Commissioner or in any reports to the Commissioner; (c)  
6 has made fraudulent misrepresentations, or has circumvented or concealed,  
7 through whatever subterfuge or device, any of the material particulars or  
8 the nature thereof required to be stated or furnished to a borrower under  
9 the provisions of RSA Chapter 399-A...; (h) has engaged in dishonest or  
10 unethical practices in the conduct of the business of making small loans;  
11 (i) has violated RSA Chapter 399-A or any rule or order thereunder or has  
12 violated applicable federal laws or rules thereunder...; and/or among other  
13 factors, (k) should not be licensed for other good cause shown.

14 Pursuant to RSA 399-A:7,II, the Commissioner has the authority to  
15 issue an order to show cause why license revocation and penalties for  
16 violations of RSA Chapter 399-A should not be imposed.

17 Pursuant to RSA 399-A:7,VI, no revocation, suspension, or surrender  
18 of any license shall impair or affect the obligation of any pre-existing  
19 lawful contract between the licensee and any obligors, and such contracts  
20 and all lawful charges thereon may be collected by the licensee, its  
21 successors, and assigns.

22 Pursuant to RSA 399-A:8,I the New Hampshire Banking Department  
23 (hereinafter "Department") has the authority to order or direct persons  
24 subject to RSA Chapter 399-A to cease and desist from RSA Chapter 399-A or  
25 any rule or order thereunder.

1 Pursuant to RSA 399-A:8,II, if any person refuses to obey the  
2 Commissioner's order, an action may be brought by the Attorney General on  
3 the Commissioner's behalf in any superior court in New Hampshire to enjoin  
4 such person from engaging in or continuing such violation or from doing any  
5 act or acts in furtherance of such violation. In any such action, an order  
6 or judgment may be entered awarding a temporary or permanent injunction,  
7 and awarding the Commissioner or the Attorney General or both costs in  
8 bringing such action. The court shall have the power to enforce such  
9 injunction, in addition to all of the court's customary powers, by imposing  
10 a fine not exceeding \$10,000.00 or by imprisonment, or both.

11 Pursuant to RSA 399-A:10,I, the Commissioner or the Commissioner's  
12 duly authorized representative may at any time, and shall periodically,,  
13 with or without notice to the licensee or person, examine the business  
14 affairs of any licensee or any other person subject to RSA Chapter 399-A,  
15 whether licensed or not, as the Commissioner deems necessary to determine  
16 compliance with RSA Chapter 399-A and the rules adopted pursuant to it. In  
17 determining compliance, the Commissioner or the duly authorized  
18 representative may examine the books, accounts, records, files, and other  
19 documents, whether electronically stored or otherwise, and any other  
20 matters of any licensee or person. The Commissioner or the duly authorized  
21 representative shall have and be given free access to the office and places  
22 of business, files, safes, and vaults of all such persons, and shall have  
23 authority to require the attendance of any person and to examine him or her  
24 under oath relative to such loans or such business or to the subject matter  
25 of any examination or investigation and shall have authority to require the

1 production of books, accounts, papers, and records of such persons.

2 Pursuant to RSA 399-A:10,II, every person being examined, and all of  
3 the officers, directors, employees, agents, and representatives of such  
4 person shall make freely available to the Commissioner or the  
5 Commissioner's examiners the accounts, records, documents, files,  
6 information, assets, and matters in their possession or control relating to  
7 the subject of the examination and shall facilitate the examination.

8 Pursuant to RSA 399-A:10,III, those licensees or persons that  
9 maintain their files and business documents in another state shall appoint  
10 a New Hampshire agent and shall return such files and documents to their  
11 principal New Hampshire office, the Department, or the office of their New  
12 Hampshire agent for examination no later than 21 calendar days after being  
13 requested to do so by the Department. When the Commissioner requests a  
14 list of New Hampshire consumers who have contracted with the licensee or  
15 other similar summary document from a licensee from which to select  
16 particular files for review, the licensee shall ensure that the list is  
17 received by the Commissioner within 7 calendar days and return the files  
18 selected by the Commissioner to the Commissioner within 14 calendar days to  
19 ensure compliance with the 21-day requirement. Failure to provide files  
20 and documents within the time established by RSA 399-A:10,III shall subject  
21 a licensee or person to a fine of \$50.00 per day for each day after 21 days  
22 the files and documents are not produced. Failure to provide files and  
23 documents within 60 days after being requested to do so by the Department  
24 shall be sufficient cause for license revocation, suspension, or denial, or  
25 other penalties under RSA Chapter 399-A.

1 Pursuant to RSA 399-A:10,IV, the Commissioner or the Commissioner's  
2 duly authorized representative may investigate at any time any person that  
3 the Commissioner reasonably believes is engaged in the business of making  
4 small loans, payday loans, or title loans, or participating in such  
5 business as principal, agent, broker, or otherwise; or any person who the  
6 Commissioner has reasonable cause to believe is violating or is about to  
7 violate any provision of RSA Chapter 399-A, or any rule or order  
8 thereunder, whether such person shall claim to be within the authority or  
9 beyond the scope of RSA Chapter 399-A. Any person not exempt hereunder who  
10 shall advertise for, solicit, or hold himself or herself out as willing to  
11 make or procure small loans, payday loans, or title loans shall be presumed  
12 to be engaged in the business of making such loans.

13 Pursuant to RSA 399-A:10,V, in any investigation to determine whether  
14 any person has violated or is about to violate RSA Chapter 399-A, or any  
15 rule or order thereunder, upon the Commissioner's finding that the person  
16 violated RSA Chapter 399-A, or any rule or order thereunder, or the person  
17 being charged with the violation being found in default, the Commissioner  
18 shall be entitled to recover the cost of the investigation, in addition to  
19 any other penalty provided for under RSA Chapter 399-A.

20 Pursuant to RSA 399-A:11,V, if charges in excess of those permitted  
21 by RSA Chapter 399-A shall be charged, contracted for, or received except  
22 as a result of an accidental or bona fide error the contract of loan shall  
23 be void and the lender shall have no right to collect or receive any  
24 principal, charges, or recompense whatsoever.

25 Pursuant to RSA 399-A:16,IV the Commissioner may issue, amend, or

1 rescind such orders as are reasonably necessary to comply with the  
2 provisions of RSA Chapter 399-A.

3 Pursuant to RSA 399-A:16,VI, the Commissioner may act when the  
4 Commissioner finds that such action is necessary or appropriate to the  
5 public interest or for the protection of consumers and consistent with the  
6 purposes fairly intended by the policy and provisions of Title XXXVI.

7 Pursuant to RSA 399-A:18,III, the Commissioner has the authority to  
8 suspend, revoke or deny any license and to impose administrative penalties  
9 of up to \$2,500.00 for each knowing violation of the Commissioner's rules  
10 or orders. Each of the acts specified shall constitute a separate violation.

11 Pursuant to RSA 399-A:18,V, the Commissioner has the authority to  
12 suspend, revoke or deny any license and to impose administrative penalties  
13 of up to \$2,500.00 for each violation of the provisions of RSA Chapter 399-  
14 A. Each of the acts specified shall constitute a separate violation, and  
15 each such administrative action or fine may be imposed in addition to any  
16 criminal or civil penalties imposed.

17 Pursuant to RSA 399-A:18,VI, every person who directly or indirectly  
18 controls a person liable under this section, every partner, principal  
19 executive officer, or director of such person, every person occupying a  
20 similar status or performing a similar function, every employee of such  
21 person who materially aids in the act constituting the violation, and every  
22 licensee or person acting as a common law agent who materially aids in the  
23 acts constituting the violation, either knowingly or negligently, may, upon  
24 notice and opportunity for hearing, and in addition to any other penalty  
25 provided for by law, be subject to suspension, revocation, or denial of any

1 registration or license, including the forfeiture of any application fee,  
2 or an administrative fine not to exceed \$2,500.00 or both. Each of the  
3 acts specified shall constitute a separate violation, and such  
4 administrative action or fine may be imposed in addition to any criminal or  
5 civil penalties imposed. No person shall be liable under RSA 399-A:18,VI  
6 who shall sustain the burden of proof that such person did not know, and in  
7 the exercise of reasonable care could not have known, of the existence of  
8 facts by reason of which the liability is alleged to exist.

9 Pursuant to RSA 383:10-d, the Commissioner shall investigate conduct  
10 that is or may be an unfair or deceptive act or practice under RSA Chapter  
11 358-A and exempt under RSA 358-A:3,I or that may violate any of the  
12 provisions of Titles XXXV and XXXVI and administrative rules adopted  
13 thereunder. The Commissioner may hold hearings relative to such conduct and  
14 may order restitution for a person or persons adversely affected by such  
15 conduct.

16 **NOTICE OF RIGHT TO REQUEST A HEARING**

17 The above named Respondents have the right to request a hearing on  
18 this Order to Show Cause and Cease and Desist Order, as well as the right  
19 to be represented by counsel at each Respondent's own expense. All hearings  
20 shall comply with RSA Chapter 541-A. Any such request for a hearing shall be  
21 in writing, and signed by the Respondent or the duly authorized agent of  
22 the above named Respondent, and shall be delivered either by hand or  
23 certified mail, return receipt requested, to the Banking Department, State  
24 of New Hampshire, 53 Regional Drive, Suite 200, Concord, NH 03301. Such  
25 hearings will be scheduled within 10 days of the Department's receipt of the

1 request. If a Respondent fails to appear at the hearing after being duly  
2 notified, such person shall be deemed in default, and the proceeding may be  
3 determined against the Respondent upon consideration of this Order to Show  
4 Cause and Cease and Desist Order, the allegations of which may be deemed to  
5 be true.

6 If any of the above named Respondents fails to request a hearing  
7 within 30 calendar days of receipt of such order or reach a formal written  
8 and executed settlement with the Department within that time frame, then  
9 such person shall likewise be deemed in default, and the orders shall, on  
10 the thirty-first day, become permanent, and shall remain in full force and  
11 effect until and unless later modified or vacated by the Commissioner, for  
12 good cause shown.

13 **STATEMENT OF ALLEGATIONS, APPLICABLE LAWS AND REQUEST FOR RELIEF**

14 The Staff Petition dated April 6, 2010 (a copy of which is attached  
15 hereto) is incorporated by reference hereto.

16 **ORDER**

17 WHEREAS, finding this action and all resulting findings and orders  
18 herein necessary and appropriate and in the public interest, and consistent  
19 with the intent and purpose of the New Hampshire banking laws; and

20 WHEREAS, finding that the allegations contained in the Staff  
21 Petition, if proved true and correct, form the legal basis of the relief  
22 requested;

23 It is hereby ORDERED, that:

- 24 1. Respondents and any and all officers, members, managers,  
25 employees, independent contractors, or agents, operating on

1           behalf of Respondent Cashforce USA Inc and its successors or  
2           assigns (collectively "Cashforce USA") are hereby ordered to  
3           cease and desist from violating New Hampshire laws,  
4           including RSA Chapter 399-A, or any rule or order under RSA  
5           Chapter 399-A;

6           2. Respondent Cashforce USA shall immediately cease taking  
7           applications from New Hampshire consumers until such time as  
8           Respondent Cashforce USA is properly and actually licensed  
9           under RSA Chapter 399-A and a proper and legally compliant  
10          contract is formed and approved by the Department pursuant  
11          to the Commissioner's August 11, 2009 order.

12          3. Respondent Cashforce USA shall immediately cease running any  
13          and all advertisements (including print, television, radio  
14          and its own website) geared or directed towards New  
15          Hampshire consumers.

16          4. Respondent Cashforce USA shall show cause why penalties in  
17          the amount of \$1,345,000.00 should not be imposed against  
18          it;

19          5. Respondent Michael M. Melody ("Respondent Melody") shall  
20          show cause why penalties in the amount of \$1,350,000.00  
21          should not be imposed against him;

22          6. Respondent Courtney L. Carey ("Respondent Carey") shall show  
23          cause why penalties in the amount of \$1,345,000.00 should  
24          not be imposed against her;

25          7. The above named Respondents shall show cause why, in

1 addition to any penalties listed in Paragraphs 1 through 6,  
2 Respondents shall not reimburse/credit each consumer the  
3 amounts listed in Attachment 1 to this Order to Show Cause  
4 and Cease and Desist Order and Staff Petition, for a minimum  
5 total return (which would include partial or full payments  
6 to Respondent Cashforce USA from the borrower) or  
7 forgiveness of debt of principal in the amount of \$35,700.00  
8 plus:

9 a. Any and all monthly access fees, including but not  
10 limited to the following:

- 11 1. \$90.00 monthly access for \$250.00 credit line;
- 12 2. \$125.00 monthly access for \$350.00 credit line;
- 13 3. \$175.00 monthly access for \$500.00 credit line;
- 14 4. \$200.00 monthly access fee for \$600.00 credit line;
- 15 5. \$225.00 monthly access fee for \$700.00 credit line;

16 and

17 b. Any and all interest and/or charges.

18 8. Nothing in this Order to Show Cause and Cease and Desist  
19 Order shall prevent the Department from taking any further  
20 administrative action under New Hampshire law.

21 9. The above named Respondents shall be jointly and severally  
22 liable for the above amounts alleged in Paragraphs 1 through  
23 8 above.

24 10. The above named Respondents shall show cause why, in  
25 addition to the penalties listed in Paragraphs 1 through 9



1 State of New Hampshire Banking Department

2 In re the Matter of: ) Case No.: 09-130  
3 State of New Hampshire Banking )  
4 Department, ) Staff Petition  
5 Petitioner, ) April 6, 2010  
6 and )  
7 Cashforce USA Inc, Michael M. Melody, )  
8 and Courtney L. Carey, )  
9 Respondents )  
10 )

11 I. STATEMENT OF ALLEGATIONS

12 The Staff of the Banking Department, State of New Hampshire (hereinafter  
13 "Department") alleges the following facts:

14 Facts Common on All Counts:

- 15 1. Respondent Cashforce USA Inc (hereinafter "Respondent Cashforce  
16 USA") has been licensed with the Department as a New Hampshire  
17 Small Loan Lender from at least February 4, 2003.
- 18 2. Respondent Michael M. Melody (hereinafter "Respondent Melody") is  
19 the 100% owner, President and control person of Respondent  
20 Cashforce USA.
- 21 3. Respondent Courtney L. Carey (hereinafter "Respondent Carey") is  
22 the Branch Manager and control person of Respondent Cashforce  
23 USA.
- 24 4. During the Department's on-site examination of Respondent  
25 Cashforce USA on January 5, 2009 and January 30, 2009, Department

1 Examiners noted a sign posted on the Respondents' building  
2 stating that no new loans were available.

3 5. On or about May 6, 2009, after viewing television advertisements  
4 from Respondent Cashforce USA offering new loans, the Department  
5 was under a good faith understanding that there existed potential  
6 violations of RSA Chapter 399-A, including Respondents' previous  
7 assertions that no new loans would be offered.

8 6. On May 6, 2009, Department Examiners returned to Respondent  
9 Cashforce USA's Keene, New Hampshire principal office to  
10 investigate and examine television advertisements aired on a New  
11 Hampshire local channel and loans produced since the previous  
12 January 2009 examination.

13 7. On August 11, 2009, the Commissioner executed an Order  
14 (hereinafter "Commissioner's Order") against Respondent Cashforce  
15 USA regarding an open-end line of credit product that included a  
16 Revolving Line of Credit (NH) Agreement for the product, entitled  
17 "Product Agreement".

18 8. Said Product Agreement produced by Respondent Cashforce USA  
19 contemplated lines of credit between \$250.00 and \$700.00 with a  
20 monthly access fee that varied depending on the line of credit  
21 amount.

22 9. Further, each loan carried a monthly interest rate of 2.5% with  
23 an annual interest of 30%.

24 10. The line of credit included monthly access fees and finance  
25 charges, and therefore, the Commissioner's Order found that the

1 APR for Respondent Cashforce USA's Product as executed via the  
2 Product Agreement was actually between about 415% (for a \$700.00  
3 line of credit) to 462% (for a \$250.00 line of credit).

4 11. The Commissioner's Order stated the Product was unfair and  
5 unethical and mandated that Respondent Cashforce USA offer only  
6 credit products that comply with the Commissioner's Order, the  
7 Consumer Protection Act, RSA 383:10-d and RSA 399-A:7, I(h).

8 12. The Commissioner's Order further stated that Respondent Cashforce  
9 USA shall evaluate its credit product pursuant to the  
10 Commissioner's Order and take all necessary and appropriate steps  
11 consistent therewith, including but not limited to seeking  
12 Department approval for any credit products.

13 13. On August 11, 2009, the Department sent the Commissioner's Order  
14 to Respondent Cashforce USA, Respondent Melody and Respondent  
15 Cashforce USA's registered agent, all via U.S. Certified Mail  
16 Return Receipt requested and facsimile. On August 18, 2009,  
17 Respondent Carey signed for the ones addressed to Respondent  
18 Cashforce USA and Respondent Melody. On August 14, 2009,  
19 Respondent Cashforce USA's registered agent signed for the one  
20 addressed to him. The facsimiles were sent successfully on August  
21 11, 2009.

22 14. On November 9, 2009, Respondent Cashforce USA was scheduled for a  
23 routine examination to be conducted on November 17, 2009.  
24 However, during the same time period, individual Department  
25 examiners noticed Respondent Cashforce USA's television ads

1            airing on at least one New Hampshire local channel, which  
2            prompted Department Examiners to review documents onsite.

3            15. During the Department's November 17, 2009 examination, Department  
4            Examiners requested a loan list for the past 18 months and  
5            reviewed a sample of contracts dated after the Commissioner's  
6            Order (after August 11, 2009) to ensure compliance therewith.

7            Violation of 399-A:8-a,I(a) Employing Device, Scheme, or Artifice to  
8            Defraud (76 Counts):

9            Violation of 399-A:8-a,I(b) Make Any Untrue Statement of a Material Fact Or  
10            To Omit to State a Material Fact (76 Counts):

11            Violation of 399-A:8-a,I(c) Engaging in Any Act or Practice or Course of  
12            Business which Operates as a Fraud or Deceit Upon any Person (76 Counts):

13            Violation of 399-A:4,VI Violation Of Commissioner's August 11, 2009 Order  
14            (76 Counts):

15            Violation of 399-A:7,I(b) Made False or Misleading Statement to  
16            Commissioner (1 Count):

17            Violation of 399-A:7,I(c) Fraudulent Misrepresentations or Concealment of  
18            Material Particulars to Borrowers (76 Counts):

19            Violation of 399-A:7,I(h) Dishonest or Unethical Practices in the Conduct  
20            of the Business of Making Small Loans (76 Counts):

21            Violation of RSA 399-A:7,I(i) Violation of Commissioner's August 11, 2009  
22            Order (76 Counts):

23            16. Paragraphs 1 through 15 are hereby realleged as fully set forth  
24            herein.

25            17. The Department's Examiners discovered Respondent Cashforce USA

1 had disregarded the Commissioner's Order.

2 18. Respondents willfully and knowingly violated the Commissioner's  
3 Order dated August 11, 2009.

4 19. Respondents failed to change or amend the Product Agreement,  
5 which was the subject of the Commissioner's Order.

6 20. In fact, all of the same typos appear throughout the Product  
7 Agreement in the same locations as the Product Agreement prior to  
8 the Commissioner's Order.

9 21. The monthly access fees are still the same, which still create  
10 the unfair and unethical APR and therefore, unfair and unethical  
11 Product.

12 22. The Product Agreement, in an attempt to mislead and conceal from  
13 borrowers the actual cost, indicates the Product Agreement  
14 conforms with applicable state and federal law, including RSA  
15 Chapter 399-A.

16 23. The above named Respondents never contacted the Department to  
17 either request a hearing on the Commissioner's August 11, 2009  
18 Order or to discuss alternative language in the Product Agreement  
19 to make it compliant and not unethical or unfair to the New  
20 Hampshire consumer.

21 24. Shortly after the Commissioner's August 11, 2009 Order, staff  
22 began receiving telephonic communications and began viewing the  
23 two commercials on television. The thirty second and sixty second  
24 spot commercials began airing on television on October 26, 2009,  
25 which prompted an investigation by the Department Examiners into

1 the content of the advertisement and whether they or the products  
2 they advertised violated New Hampshire law under RSA Chapter 399-  
3 A.

4 25. In mid-November 2009, the Department's Legal Division,  
5 unbeknownst to the Department's Examiners, received a notice of a  
6 lawsuit filed against the Department by Respondent Cashforce USA.

7 26. The lawsuit filed by Respondent Cashforce against the Department  
8 has since been dismissed due to its failure to exhaust  
9 administrative agency avenues prior to filing such a suit.

10 27. As described in Paragraphs 7 through 11 above, since each loan  
11 carried a monthly interest rate of 2.5% (with an annual interest  
12 of 30%), monthly access fees and finance charges, the APR for  
13 Respondent Cashforce USA's Product as executed via the Product  
14 Agreement was actually between 415% (for a \$700.00 line of  
15 credit) to 462% (for a \$250.00 line of credit).

16 28. Department licensees, pursuant to RSA Chapter 399-A, can only  
17 collect principal, charges or recompense on pre-existing lawful  
18 contracts.

19 29. Since the actual charges to the borrowers are in excess of those  
20 permitted under RSA Chapter 399-A and the Commissioner's Order of  
21 August 11, 2009, the contracts are void and the above named  
22 Respondents shall have no right to collect or receive any  
23 principal, charges, or recompense whatsoever.

24 30. Therefore, Consumers 1 through 76 are entitled to reimbursement  
25 or credit for the amounts borrowed, which would include

1 reimbursement or credit for all monthly access fees and interest  
2 and other charges. A minimum total return (which would include  
3 partial or full payments to Respondent Cashforce USA from the  
4 borrower) or forgiveness of debt of principal is in the amount of  
5 \$35,700.00 plus:

6 a. Any and all monthly access fees, including but not limited to  
7 the following:

8 (1). \$90.00 monthly access for \$250.00 credit line;

9 (2). \$125.00 monthly access for \$350.00 credit line;

10 (3). \$175.00 monthly access for \$500.00 credit line;

11 (4). \$200.00 monthly access fee for \$600.00 credit line;

12 (5). \$225.00 monthly access fee for \$700.00 credit line; and

13 b. Any and all interest and/or charges.

14 **Violation of 399-A:10,II Failure to Facilitate the Examination (1 Count):**

15 **Violation of RSA 399-A:10,III Failure to Provide the Department with**

16 **Examination Materials Within 21 Calendar Days (1 Count):**

17 **Violation of RSA 399-A:4,XII Failure of Officer or Owner to Respond to**

18 **Department Inquiries (2 Counts Against Respondent Melody Only):**

19 31. Paragraphs 1 through 31 are hereby realleged as fully set forth  
20 herein.

21 32. On February 18, 2010, the Department emailed Respondent Melody  
22 requesting he call or provide a telephone number for the  
23 Department's follow-up regarding the latest examination.

24 33. Respondent Melody failed to respond to the Department's February  
25 18, 2010 request.

1 34. On March 1, 2010, the Department emailed Respondent Melody  
2 against stating that the Department has been unable to  
3 communicate with him and to ask him to please respond. The  
4 Department subsequently received an "Out of Office AutoReply"  
5 stating Respondent Melody would be out of the office from  
6 February 17<sup>th</sup> to March 3<sup>rd</sup>.

7 35. On March 4, 2010, the Department again emailed Respondent Melody  
8 to request he call the Department. Respondent Melody responded  
9 the same day, stating to address all questions to his attorney,  
10 John Kalled.

11 36. On March 12, 2010, the Department spoke with Attorney John  
12 Kalled. Respondent Kalled indicated Respondent Cashforce was no  
13 longer in business, but did not have specific details.

14 37. The Department sent an email to Attorney John Kalled requesting  
15 information, including a loan list, list of investors, and an  
16 explanation of how the loans were being serviced.

17 38. On March 23, 2010, the Department emailed Attorney John Kalled  
18 stating that the material has not been provided.

19 39. On March 23, 2010, Attorney John Kalled responded to the  
20 Department's email by stating on March 12, 2010 "I surrendered  
21 CashForce's Small Lender license to your department.  
22 Accordingly, the company is no longer writing loans."

23 40. Attorney John Kalled, in the same March 23, 2010 email, indicated  
24 Respondent Cashforce is "only collecting repayment on loans  
25 previously written. To my knowledge, borrowers contact the

1 company their Keene location."

2 41. On March 24, 2010, the Department, via an email to Attorney John  
3 Kalled, requested more information and again requested the  
4 missing information. The Department also included a link to the  
5 surrender forms that the above named Respondents were required to  
6 submit to the Department.

7 42. On March 25, 2010, Attorney John Kalled's responded that the  
8 message was forwarded to his client.

9 43. To date, the Department has not received a loan list or other  
10 requested documentation from the examination.

11 **Violation of RSA 399-A:4,VIII(a) Failure to Timely Surrender Physical**  
12 **License (1 Count):**

13 **Violation of RSA 399-A:4,VIII(b) Failure to Properly Surrender (1 Count):**

14 44. Paragraphs 1 through 44 are hereby realleged as fully set forth  
15 herein.

16 45. On March 12, 2010, Attorney John Kalled, via a telephone  
17 conference, informed the Department that Respondent Cashforce had  
18 stopped doing business and Respondent Cashforce had provided him  
19 the physical license to surrender.

20 46. Attorney John Kalled informed the Department via a March 23, 2010  
21 email that he had surrendered Respondent Cashforce's license and  
22 Respondent Cashforce had ceased taking new clients.

23 47. On March 24, 2010, the Department responded to Attorney John  
24 Kalled that it did not receive any surrender documentation and  
25 provided a link to blank copies of such surrender forms.

1 48. On March 24, 2010, Attorney John Kalled indicated the license had  
2 been returned and mailed to the Department again.

3 49. On March 25, 2010, pursuant to the Department's request for  
4 clarification of the document(s) mailed to the Department,  
5 Attorney John Kalled indicated only the paper license was  
6 returned.

7 50. On March 29, 2010, the Department received the paper license.

8 51. On March 29, 2010, the Department's Licensing Division mailed a  
9 letter to Attorney John Kalled explaining what documents were  
10 necessary for surrender of a Department license.

11 52. The above named Respondents statutorily had until March 27, 2010  
12 (15 days from March 12, 2010 telephone conference John Kalled) to  
13 surrender the physical license to the Department. The above named  
14 Respondents failed to do so in a timely manner, since the  
15 Department received the physical license on March 29, 2010.

16 53. To date, the above named Respondents have not properly  
17 surrendered Respondent Cashforce's Department Small Loan Lender  
18 license.

19 **Violation of RSA 399-A:10, II Failure to Pay Cost of Examination (1 Count):**

20 54. Paragraphs 1 through 54 are hereby realleged as fully set forth  
21 herein.

22 55. On January 12, 2010, the Department issued Respondent Cashforce  
23 an examination invoice for \$5,010.00 for a six (6) day  
24 examination.

25 56. On March 12, 2010, the Department reminded Attorney John Kalled



1 with a repossession of the security or an actual sale of the  
2 security.

3 3. The Department has jurisdiction over the licensing and regulation  
4 of persons engaged in small loan lending activities pursuant to  
5 NH RSA 399-A:2 and RSA 399-A:11.

6 4. RSA 399-A:2,V provides that any person who willfully violates any  
7 provisions of RSA Chapter 399-A:8-a,I shall be guilty of a class  
8 B felony. Each of the acts specified shall constitute a separate  
9 offense and a prosecution or conviction for any one of such  
10 offenses shall not bar prosecution or conviction of any other  
11 offense.

12 5. RSA 399-A:4,VI provides that persons subject to or licensed by  
13 RSA Chapter 399-A shall abide by the laws, rules, orders of the  
14 State of New Hampshire, as well as federal laws. Any violation of  
15 such laws, rules or orders is a violation of RSA Chapter 399-A.  
16 Each of the above named Respondents violated this statute on at  
17 least seventy-six (76) occasions as alleged above.

18 6. RSA 399-A:4,VIII(a) provides that a licensee who ceases to engage  
19 in the business of a small loan lender, payday loan lender, or  
20 title loan lender at any time during a license year for any  
21 cause, including but not limited to bankruptcy, license  
22 revocation, or voluntary dissolution, shall surrender such  
23 license in person or by registered or certified mail to the  
24 Commissioner within 15 calendar days of such cessation. Each of  
25 the above named Respondents violated this provision on at least

1           one (1) occasion as alleged above.

2           7. RSA 399-A:4,VIII(b) provides that withdrawal of the surrendered  
3           license becomes effective 30 days after receipt of the license by  
4           the Commissioner or within such shorter period of time as the  
5           Commissioner may determine, unless a revocation or suspension  
6           proceeding is pending when the withdrawal is filed or a  
7           proceeding to revoke, suspend, or to impose conditions upon the  
8           withdrawal is instituted within 30 days after the license is  
9           surrendered. If a proceeding is pending or instituted,  
10          withdrawal becomes effective at such time and upon such  
11          conditions as the Commissioner by order determines. If no  
12          proceeding is pending or instituted and withdrawal automatically  
13          becomes effective, the Commissioner may nevertheless institute a  
14          revocation or suspension proceeding under RSA 399-A:7 within one  
15          year after withdrawal became effective and may enter a revocation  
16          or suspension order of the last date on which the license was  
17          effective. Each of the above named Respondents violated this  
18          provision on at least one (1) occasion as alleged above.

19          8. RSA 399-A:4,XII provides that any officer, owner, manager or  
20          agent of any licensee and any person controlling or having a  
21          contract under which he or she has a right to control such a  
22          licensee, whether exclusively or otherwise, and any person with  
23          executive authority over or in charge of any segment of such a  
24          licensee's affairs, shall reply promptly in writing, or in other  
25          designated form, to any written inquiry from the Commissioner

1 requesting a reply. The Commissioner may require that any  
2 communication made to him or her under RSA 399-A:4 be verified.  
3 Respondent Melody violated this provision on at least two (2)  
4 occasions as alleged above.

5 9. RSA 399-A:7,I provides that the Commissioner may by order, upon  
6 due notice and opportunity for hearing, assess penalties or deny,  
7 suspend, or revoke any license or application if it is in the  
8 public interest and applicant, respondent, or licensee, any  
9 partner, member, officer or director, any person occupying a  
10 similar status or performing similar functions, or any person  
11 directly or indirectly controlling the applicant, respondent or  
12 licensee has, inter alia, (b) made a false or misleading  
13 statement to the Commissioner or in any reports to the  
14 Commissioner; (c) has made fraudulent misrepresentations, or has  
15 circumvented or concealed, through whatever subterfuge or device,  
16 any of the material particulars or the nature thereof required to  
17 be stated or furnished to a borrower under the provisions of RSA  
18 Chapter 399-A...; (h) has engaged in dishonest or unethical  
19 practices in the conduct of the business of making small loans;  
20 (i) has violated RSA Chapter 399-A or any rule or order  
21 thereunder or has violated applicable federal laws or rules  
22 thereunder...; and/or among other factors, (k) should not be  
23 licensed for other good cause shown. Each of the above named  
24 Respondents violated subparagraph (b) on at least one (1)  
25 occasion and subparagraphs (c), (h) and (i) on at least seventy-

1 six (76) occasions as alleged above.

2 10. RSA 399-A:7,II provides that the Commissioner has the authority  
3 to issue an order to show cause why license revocation and  
4 penalties for violations of New Hampshire Banking laws should not  
5 be imposed.

6 11. RSA 399-A:7,VI provides that no revocation, suspension, or  
7 surrender of any license shall impair or affect the obligation of  
8 any pre-existing lawful contract between the licensee and any  
9 obligors, and such contracts and all lawful charges thereon may  
10 be collected by the licensee, its successors, and assigns.

11 12. RSA 399-A:8,I provides that the Department has the authority to  
12 order or direct persons subject to RSA Chapter 399-A to cease and  
13 desist from violating RSA Chapter 399-A or any rule or order  
14 thereunder.

15 13. RSA 399-A:8,II provides that if any person refuses to obey the  
16 Commissioner's order, an action may be brought by the Attorney  
17 General on the Commissioner's behalf in any superior court in New  
18 Hampshire to enjoin such person from engaging in or continuing  
19 such violation or from doing any act or acts in furtherance of  
20 such violation. In any such action, an order or judgment may be  
21 entered awarding a temporary or permanent injunction, and  
22 awarding the Commissioner or the Attorney General or both costs  
23 in bringing such action. The court shall have the power to  
24 enforce such injunction, in addition to all of the court's  
25 customary powers, by imposing a fine not exceeding \$10,000.00 or

1 by imprisonment, or both.

2 14. RSA 399-A:8-a,I(a) provides that it is unlawful for any person,  
3 in connection with the solicitation, offer, or closing of a loan,  
4 directly or indirectly to employ any device, scheme, or artifice  
5 to defraud. Each of the above named Respondents violated this  
6 statute on at least seventy-six (76) occasions as alleged above.

7 15. RSA 399-A:8-a,I(b) provides it is unlawful for any person, in  
8 connection with the solicitation, offer, or closing of a loan,  
9 directly or indirectly to make any untrue statement of a material  
10 fact or to omit to state a material fact necessary in order to  
11 make the statements made, in light of the circumstances under  
12 which they are made, not misleading. Each of the above named  
13 Respondents violated this statute on at least seventy-six (76)  
14 occasions as alleged above.

15 16. RSA 399-A:8-a,I(c) provides that it is unlawful for any person,  
16 in connection with the solicitation, offer, or closing of a loan,  
17 directly or indirectly to engage in any act, practice, or course  
18 of business which operates or would operate as a fraud or deceit  
19 upon any person. Each of the above named Respondents violated  
20 this statute on at least seventy-six (76) occasions as alleged  
21 above.

22 17. RSA 399-A:10,I provides that the Commissioner or the  
23 Commissioner's duly authorized representative may at any time,  
24 and shall periodically,, with or without notice to the licensee  
25 or person, examine the business affairs of any licensee or any

1 other person subject to RSA Chapter 399-A, whether licensed or  
2 not, as the Commissioner deems necessary to determine compliance  
3 with RSA Chapter 399-A and the rules adopted pursuant to it. In  
4 determining compliance, the Commissioner or the duly authorized  
5 representative may examine the books, accounts, records, files,  
6 and other documents, whether electronically stored or otherwise,  
7 and any other matters of any licensee or person. The Commissioner  
8 or the duly authorized representative shall have and be given  
9 free access to the office and places of business, files, safes,  
10 and vaults of all such persons, and shall have authority to  
11 require the attendance of any person and to examine him or her  
12 under oath relative to such loans or such business or to the  
13 subject matter of any examination or investigation and shall have  
14 authority to require the production of books, accounts, papers,  
15 and records of such persons.

16 18. RSA 399-A:10,II provides that every person being examined, and  
17 all of the officers, directors, employees, agents, and  
18 representatives of such person shall make freely available to the  
19 Commissioner or the Commissioner's examiners the accounts,  
20 records, documents, files, information, assets, and matters in  
21 their possession or control relating to the subject of the  
22 examination and shall facilitate the examination. Each of the  
23 above named Respondents violated this provision on at least two  
24 (2) occasions as alleged above.

25 19. RSA 399-A:10,III provides that those licensees or persons that

1 maintain their files and business documents in another state  
2 shall appoint a New Hampshire agent and shall return such files  
3 and documents to their principal New Hampshire office, the  
4 Department, or the office of their New Hampshire agent for  
5 examination no later than 21 calendar days after being requested  
6 to do so by the Department. When the Commissioner requests a  
7 list of New Hampshire consumers who have contracted with the  
8 licensee or other similar summary document from a licensee from  
9 which to select particular files for review, the licensee shall  
10 ensure that the list is received by the Commissioner within 7  
11 calendar days and return the files selected by the Commissioner  
12 to the Commissioner within 14 calendar days to ensure compliance  
13 with the 21-day requirement. Failure to provide files and  
14 documents within the time established by RSA 399-A:10,III shall  
15 subject a licensee or person to a fine of \$50.00 per day for each  
16 day after 21 days the files and documents are not produced.  
17 Failure to provide files and documents within 60 days after being  
18 requested to do so by the Department shall be sufficient cause  
19 for license revocation, suspension, or denial, or other penalties  
20 under RSA Chapter 399-A. Each of the above named Respondents  
21 violated this provision on at least one (1) occasion as alleged  
22 above.

23 20. RSA 399-A:10,IV provides that the Commissioner or the  
24 Commissioner's duly authorized representative may investigate at  
25 any time any person that the Commissioner reasonably believes is

1 engaged in the business of making small loans, payday loans, or  
2 title loans, or participating in such business as principal,  
3 agent, broker, or otherwise; or any person who the Commissioner  
4 has reasonable cause to believe is violating or is about to  
5 violate any provision of RSA Chapter 399-A, or any rule or order  
6 thereunder, whether such person shall claim to be within the  
7 authority or beyond the scope of RSA Chapter 399-A. Any person  
8 not exempt hereunder who shall advertise for, solicit, or hold  
9 himself or herself out as willing to make or procure small loans,  
10 payday loans, or title loans shall be presumed to be engaged in  
11 the business of making such loans.

12 21. RSA 399-A:10,V provides that in any investigation to determine  
13 whether any person has violated or is about to violate RSA  
14 Chapter 399-A, or any rule or order thereunder, upon the  
15 Commissioner's finding that the person violated RSA Chapter 399-  
16 A, or any rule or order thereunder, or the person being charged  
17 with the violation being found in default, the Commissioner shall  
18 be entitled to recover the cost of the investigation, in addition  
19 to any other penalty provided for under RSA Chapter 399-A.

20 22. RSA 399-A:11,V provides that if charges in excess of those  
21 permitted by RSA Chapter 399-A shall be charged, contracted for,  
22 or received except as a result of an accidental or bona fide  
23 error the contract of loan shall be void and the lender shall  
24 have no right to collect or receive any principal, charges, or  
25 recompense whatsoever.

1 23. RSA 399-A:16,IV provides that the Commissioner may issue, amend,  
2 or rescind such orders as are reasonably necessary to comply with  
3 the provisions of RSA Chapter 399-A.

4 24. RSA 399-A:16,VI provides that Commissioner may act when the  
5 Commissioner finds that such action is necessary or appropriate  
6 to the public interest or for the protection of consumers and  
7 consistent with the purposes fairly intended by the policy and  
8 provisions of Title XXXVI.

9 25. RSA 399-A:18,I provides that any person and the several members,  
10 officers, directors, agents, and employees thereof who shall  
11 knowingly violate any provision of RSA Chapter 399-A, shall be  
12 guilty of a misdemeanor if a natural person, or guilty of a  
13 felony if any other person.

14 26. RSA 399-A:18,III provides that the Commissioner has the authority  
15 to suspend, revoke or deny any license and to impose  
16 administrative penalties of up to \$2,500.00 for each knowing  
17 violation of the Commissioner's rules or orders. Each of the  
18 acts specified shall constitute a separate violation.

19 27. RSA 399-A:18,V provides that the Commissioner has the authority  
20 to suspend, revoke or deny any license and to impose  
21 administrative penalties of up to \$2,500.00 for each knowing  
22 violation of the provisions of RSA Chapter 399-A, including  
23 forfeiture of any application fees. Each of the acts specified  
24 shall constitute a separate violation, and each such  
25 administrative action or fine may be imposed in addition to any

1 criminal or civil penalties imposed.

2 28. RSA 399-A:18,VI provides that every person who directly or  
3 indirectly controls a person liable under this section, every  
4 partner, principal executive officer, or director of such person,  
5 every person occupying a similar status or performing a similar  
6 function, every employee of such person who materially aids in  
7 the act constituting the violation, and every licensee or person  
8 acting as a common law agent who materially aids in the acts  
9 constituting the violation, either knowingly or negligently, may,  
10 upon notice and opportunity for hearing, and in addition to any  
11 other penalty provided for by law, be subject to suspension,  
12 revocation, or denial of any registration or license, including  
13 the forfeiture of any application fee, or an administrative fine  
14 not to exceed \$2,500.00 or both. Each of the acts specified  
15 shall constitute a separate violation, and such administrative  
16 action or fine may be imposed in addition to any criminal or  
17 civil penalties imposed. No person shall be liable under RSA  
18 399-A:18,VI who shall sustain the burden of proof that such  
19 person did not know, and in the exercise of reasonable care could  
20 not have known, of the existence of facts by reason of which the  
21 liability is alleged to exist.

22 29. RSA 383:10-d provides that the Commissioner shall investigate  
23 conduct that is or may be an unfair or deceptive act or practice  
24 under RSA Chapter 358-A and exempt under RSA 358-A:3,I or that  
25 may violate any of the provisions of Titles XXXV and XXXVI and

1 administrative rules adopted thereunder. The Commissioner may  
2 hold hearings relative to such conduct and may order restitution  
3 for a person or persons adversely affected by such conduct.

4 **III. RELIEF REQUESTED**

5 The staff of the Department requests the Commissioner take the following  
6 action:

- 7 1. Pursuant to RSA 399-A:7,I and RSA 399-A:16,IV, find this action  
8 and all resulting findings and orders herein necessary and  
9 appropriate and in the public interest, and consistent with the  
10 intent and purposes of the New Hampshire banking laws;
- 11 2. Find that the allegations contained in the Staff Petition, are  
12 true and correct and form the legal basis of the relief  
13 requested;
- 14 3. Find as fact the allegations contained in section I of this Staff  
15 Petition;
- 16 4. Make conclusions of law relative to the allegations contained in  
17 section II of this Staff Petition;
- 18 5. Pursuant to RSA 399-A:8,I, order the above named Respondents and  
19 any and all officers, members, managers, employees, independent  
20 contractors, or agents, operating on behalf of Respondent  
21 Cashforce USA Inc and its successors or assigns (collectively  
22 "Cashforce USA") to cease and desist from violating New Hampshire  
23 laws, including RSA Chapter 399-A, or any rule or order under RSA  
24 Chapter 399-A;
- 25 6. Pursuant to RSA 399-A:8,I, order the above named Respondents to

1           cease taking applications from New Hampshire consumers until such  
2           time as Respondent Cashforce USA is properly and actually  
3           licensed under RSA Chapter 399-A and a proper and legally  
4           compliant contract is formed and approved by the Department  
5           pursuant to the Commissioner's August 11, 2009 order;

6           7. Pursuant to RSA 399-A:7,II, order each of the above named  
7           Respondents to show cause why their license should not be  
8           revoked;

9           8. Pursuant to RSA 399-A:11,V, order Respondents to return or credit  
10          any principal, charges or recompense to each of the 76 borrowers  
11          who obtained lines of credit through the Product Agreement;

12          9. Assess fines and administrative penalties in accordance with RSA  
13          399-A:18,II and III for violations of RSA Chapter 399-A, in the  
14          number and amount equal to the violations set forth in section II  
15          of this Staff Petition; and

16          10. Take such other administrative and legal actions as necessary for  
17          enforcement of the New Hampshire Banking Laws, the protection of  
18          New Hampshire citizens, and to provide other equitable relief.

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1 ATTACHMENT 1 TO THE ORDER TO SHOW CAUSE AND CEASE AND DESIST ORDER RE:

2 CASHFORCE USA INC, ET AL.

3 DOCKET #09-130

4 The Department hereby presents the following list of Consumers who are  
5 entitled to a return of monies paid or a credit for money owed as related  
6 to small loans taken after August 11, 2009 that did not comply with the  
7 Commissioner's August 11, 2009 Order against Respondent Cashforce USA:

8

9 CONSUMER NUMBER	DATE OF TRANSACTION	AMOUNT OF LOAN
10 1	09/24/09	\$300.00
11 2	09/25/09	\$500.00
12 3	09/25/09	\$600.00
13 4	09/25/09	\$350.00
14 5	09/25/09	\$600.00
15 6	09/28/09	\$350.00
16 7	09/29/09	\$500.00
17 8	09/30/09	\$700.00
18 9	10/01/09	\$500.00
19 10	10/06/09	\$500.00
20 11	10/07/09	\$250.00
21 12	10/26/09	\$700.00
22 13	10/26/09	\$700.00
23 14	10/26/09	\$250.00
24 15	10/26/09	\$500.00
25 16	10/27/09	\$700.00

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17	10/27/09	\$350.00
18	10/27/09	\$700.00
19	10/27/09	\$350.00
20	10/27/09	\$350.00
21	10/28/09	\$700.00
22	10/28/09	\$250.00
23	10/29/09	\$350.00
24	10/29/09	\$350.00
25	10/29/09	\$250.00
26	10/29/09	\$250.00
27	10/30/09	\$700.00
28	10/30/09	\$700.00
29	10/30/09	\$350.00
30	10/30/09	\$350.00
31	11/02/09	\$700.00
32	11/02/09	\$700.00
33	11/03/09	\$250.00
34	11/03/09	\$600.00
35	11/03/09	\$350.00
36	11/03/09	\$600.00
37	11/03/09	\$250.00
38	11/03/09	\$250.00
39	11/05/09	\$250.00
40	11/05/09	\$600.00
41	11/05/09	\$350.00

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42	11/05/09	\$250.00
43	11/05/09	\$500.00
44	11/05/09	\$500.00
45	11/09/09	\$350.00
46	11/09/09	\$500.00
47	11/09/09	\$500.00
48	11/09/09	\$700.00
49	11/10/09	\$500.00
50	11/10/09	\$600.00
51	11/10/09	\$500.00
52	11/10/09	\$500.00
53	11/10/09	\$250.00
54	11/11/09	\$500.00
55	11/11/09	\$700.00
56	11/11/09	\$700.00
57	11/12/09	\$350.00
58	11/12/09	\$500.00
59	11/12/09	\$250.00
60	11/12/09	\$250.00
61	11/12/09	\$250.00
62	11/12/09	\$700.00
63	11/13/09	\$600.00
64	11/13/09	\$700.00
65	11/13/09	\$250.00
66	11/13/09	\$500.00

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67	11/15/09	\$500.00
68	11/16/09	\$350.00
69	11/16/09	\$700.00
70	11/16/09	\$250.00
71	11/16/09	\$500.00
72	11/16/09	\$700.00
73	11/16/09	\$250.00
74	11/16/09	\$350.00
75	11/16/09	\$700.00
76	11/16/09	\$500.00