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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: MICHAEL J. BOSCHETTI
4478 Lakeview Dr.
Vacaville, CA 95688

DESIST AND REFRAIN ORDER

(For violations of sections 25210 and 25401 of the Corporations Code)

The California Corporations Commissioner finds that:

1. Michael J. Boschetti possessing no certificate as a broker-dealer or agent offered and sold to a resident of California a security in the form of a viatical issued by The Alpha Capital Group, LLC by means of an oral communication containing false statements.
2. Beginning in or about November 1998, Michael J. Boschetti offered and sold a security in the form of a viatical issued by The Alpha Capital Group, LLC. There was at least one sale of a viatical by Michael J. Boschetti for \$200,000, which occurred on November 25, 1998.
3. Michael J. Boschetti told an investor that he would receive a 50% return on his money in two years and a 100% return on his money if he waited until the viator's (insured's) demise. In addition, Michael J. Boschetti told an investor that there was no risk except for time, since there was a possibility that the viator would live longer than estimated. In fact, the investor did not receive this return on his investment and the principal invested is at risk.

Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that Michael J. Boschetti has effected a transaction in a security as a broker-dealer without first having applied for and secured from the Commissioner a certificate, then in effect, authorizing him to act in that capacity, in violation of section 25210 of the Corporate Securities Law of 1968. Pursuant to Section 25532 of the Corporate Securities

1 Law of 1968, Michael J. Boschetti is hereby ordered to **DESIST and REFRAIN** from
2 effecting any transaction in, or inducing or attempting to induce the purchase or sale of, any
3 security in this state, unless and until he has applied for and secured from the
4 Commissioner a certificate, then in effect, authorizing him to act in that capacity.

5 Further, Michael J. Boschettie offered and sold the security of The Alpha Capital
6 Group, LLC in this State by means of written or oral communications which included untrue
7 statements of a material fact or omitted to state a material fact necessary in order to make
8 the statements made, in light of the circumstances under which they were made, not
9 misleading, in violation of section 25401 of the Corporate Securities Law of 1968. Pursuant
10 to Section 25532 of the Corporate Securities Law of 1968, Michael J. Boschetti is hereby
11 ordered to **DESIST and REFRAIN** from offering and selling any security in the State of
12 California, including but not limited to, by means of any written or oral communication which
13 includes an untrue statement of a material fact or omits to state a material fact necessary in
14 order to make the statements made, in light of the circumstances under which they were
15 made not misleading.

16 This Order is necessary, in the public interest, for the protection of investors and
17 consistent with the purposes, policies, and provisions of the Corporate Securities Law of
18 1968.

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20 Dated: December 24, 2002
21 Sacramento, California

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23 DEMETRIOS A. BOUTRIS
24 California Corporations Commissioner

25
26 By _____
27 VIRGINIA JO DUNLAP
28 Supervising Counsel
Enforcement and Legal Services