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

**TO:** Express-transfers.com  
158-01 Crossbay Boulevard  
Howard Beach, NY 11414

Brian McWilliams  
340 South Bywood  
Clawson, MI 48017

**DESIST AND REFRAIN ORDER**  
**(For violations of sections 17200, 17210.2 and 17403 of the California Financial Code)**

The California Corporations Commissioner finds that:

1. Express-transfers.com and Brian McWilliams have engaged in the business of an escrow agent by advertising escrow services over the internet at [www.express-transfers.com](http://www.express-transfers.com) from 1999 to the present as follows:

a) Express-transfers.com represents on its website that the process works as follows:

The buyer and seller register with Express-transfers.com and agree to the terms of the transaction. The buyer pays Express-transfers.com, which holds the money in a trust account. Express-transfers.com notifies the seller to ship its merchandise. The buyer receives and inspects the merchandise, and once the buyer accepts the goods, Express-transfers.com pays the seller.

b) Express-transfers.com and Brian McWilliams have represented themselves to be licensed escrow agents by claiming to be “fully licensed and accredited as an escrow company” and “subject to compliance with all applicable escrow regulations.”

c) Express-transfers.com and Brian McWilliams have represented that Express-

1 transfers.com is affiliated with Internet Escrow Services (IES) and that it is a subsidiary of Fidelity  
2 National Financial, Inc. In fact, IES is an affiliate of Escrow.com and Escrow.com is a subsidiary of  
3 Fidelity National Financial, Inc. Express-transfers.com is not affiliated with either IES, Fidelity  
4 National Financial, Inc., or Escrow.com.

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6 2. Neither Express-transfers.com nor Brian McWilliams has been issued a license from the  
7 Commissioner authorizing them to conduct business as an escrow agent, as required by California  
8 Financial Code section 17200.

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10 3. Neither Express-transfers.com nor Brian McWilliams are exempt from the licensing  
11 requirements of Section 17200.

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13 4. Neither Express-transfers.com nor Brian McWilliams has been issued a license from the  
14 Commissioner authorizing them to use words indicating that they are in the escrow business, as  
15 required by California Financial Code section 17403.

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17 5. Express-transfers.com and Brian McWilliams have disseminated or caused to be  
18 disseminated false, misleading and/or deceptive statements or representations which refer to Express-  
19 transfers.com's affiliation with IES and Fidelity National Financial, Inc., when, in fact, Express-  
20 transfers.com is not affiliated with either IES or Fidelity National Financial, Inc.

21  
22 Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that  
23 Express-transfers.com and Brian McWilliams and their officers directors, partners, agents, employees  
24 and/or servants are in violation of California Financial Code sections 17200, 17210.2(a) and  
25 17403(a). Pursuant to California Financial Code section 17416, Express-transfers.com and Brian  
26 McWilliams are hereby ordered to desist and refrain from engaging in the business of receiving  
27 escrows for deposit or delivery without first obtaining a license from the Commissioner. Pursuant to  
28 California Financial Code section 17403(b), Express-transfers.com and Brian McWilliams are further

1 ordered to immediately desist and refrain from issuing, circulating, or publishing any advertisement  
2 by means of any communication, including any website, or making use of or circulating any  
3 letterheads, billheads, blank notes, blank receipts, blank escrow instructions, certificates, circulars, or  
4 any written or printed paper containing any fictitious or corporate name or other words indicating that  
5 they are in the escrow business. Pursuant to California Financial Code section 17210.2(c), Express-  
6 transfers.com and Brian McWilliams are further ordered to immediately desist and refrain from  
7 disseminating, or causing or permitting to be disseminated, in any manner whatsoever, any statement  
8 or representation which is false, misleading, or deceptive, or which omits to state material  
9 information, or which refers to the supervision of that agent by the State of California or any  
10 department or official thereof. Express-transfers.com and Brian McWilliams are further ordered to  
11 immediately desist and refrain from disseminating or causing or permitting to be disseminated, in any  
12 manner whatsoever, any statement or representation that Express-transfers.com is in any manner  
13 associated with IES or Fidelity National Financial, Inc.

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15 This Order is necessary, in the public interest, for the protection of investors and consistent with the  
16 purposes, policies and provisions of the California Escrow Law. This order shall remain in full force  
17 and effect until further order of the California Corporations Commissioner.

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19 Dated: December 31, 2004  
20 Sacramento, California

21  
22 WILLIAM P. WOOD  
23 California Corporations Commissioner

24  
25 By: \_\_\_\_\_  
26 WAYNE STRUMPFER  
27 Acting Deputy Commissioner  
28 Enforcement and Legal Services