

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

TO: Gold-trademan.com
158-01 Crossbay Boulevard
Howard Beach, NY 11414

Adrian Brill
P.O. Box 34
Menomonee Falls, WI 53052

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. Gold-trademan.com and Adrian Brill have engaged in the business of an escrow agent by advertising escrow services over the internet at www.gold-trademan.com, from 2005 to the present as follows:

a) Gold-trademan.com represents on its website that the process works as follows: The buyer and seller agree to the terms of the transaction. The buyer pays Gold-trademan.com, which verifies the payment. Gold-trademan.com notifies the seller to ship its merchandise and then verifies that the buyer receives the shipment. The buyer accepts the goods. Gold-trademan.com then pays the seller and the transaction is complete.

b) Gold-trademan.com claims to protect both the buyer and the seller from fraud with this process.

c) Gold-trademan.com and Adrian Brill have represented that the escrow services provided by Gold-trademan.com are provided by Internet Escrow Services (IES), and that IES is

1 “fully licensed and accredited as an escrow company and is subject to compliance with all applicable
2 escrow regulations.” In fact, IES is an affiliate of Escrow.com and Gold-trademan.com is not
3 affiliated with either IES or Escrow.com.

4
5 2. Neither Gold-trademan.com nor Adrian Brill has been issued a license from the
6 Commissioner authorizing them to conduct business as an escrow agent, as required by California
7 Financial Code section 17200.

8
9 3. Neither Gold-trademan.com nor Adrian Brill is exempt from the licensing requirements of
10 Section 17200.

11
12 4. Neither Gold-trademan.com nor Adrian Brill has been issued a license from the
13 Commissioner authorizing them to use words indicating that they are in the escrow business, as
14 required by California Financial Code section 17403.

15
16 5. Gold-trademan.com and Adrian Brill have disseminated or caused to be disseminated
17 false, misleading and/or deceptive statements or representations which refer to Gold-trademan.com’s
18 affiliation with IES, when, in fact, Gold-trademan.com is not affiliated with IES in any way.

19
20 Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that
21 Gold-trademan.com and Adrian Brill and their officers, directors, partners, agents, employees and/or
22 servants are in violation of California Financial Code sections 17200, 17210.2(a) and 17403(a).
23 Pursuant to California Financial Code section 17416, Gold-trademan.com and Adrian Brill are hereby
24 ordered to desist and refrain from engaging in the business of receiving escrows for deposit or
25 delivery without first obtaining a license from the Commissioner. Pursuant to California Financial
26 Code section 17403(b), Gold-trademan.com and Adrian Brill are further ordered to immediately
27 desist and refrain from issuing, circulating, or publishing any advertisement by means of any
28 communication, including any website, or making use of or circulating any letterheads, billheads,

1 blank notes, blank receipts, blank escrow instructions, certificates, circulars, or any written or printed
2 paper containing any fictitious or corporate name or other words indicating that they are in the
3 escrow business. Pursuant to California Financial Code section 17210.2(c), Gold-trademan.com and
4 Adrian Brill are further ordered to immediately desist and refrain from disseminating, or causing or
5 permitting to be disseminated, in any manner whatsoever, any statement or representation which is
6 false, misleading, or deceptive, or which omits to state material information, or which refers to the
7 supervision of that agent by the State of California or any department or official thereof. Gold-
8 trademan.com and Adrian Brill are further ordered to immediately desist and refrain from
9 disseminating or causing or permitting to be disseminated, in any manner whatsoever, any statement
10 or representation that Gold-trademan.com is in any manner associated with IES.

11
12 This Order is necessary, in the public interest, for the protection of investors and consistent with the
13 purposes, policies and provisions of the California Escrow Law. This order shall remain in full force
14 and effect until further order of the California Corporations Commissioner.

15
16 Dated: May 16, 2005
17 Sacramento, California

18 WAYNE STRUMPFER
19 Acting California Corporations Commissioner

20 By: _____
21 ALAN S. WEINGER
22 Acting Deputy Commissioner
23 Enforcement Division
24
25
26
27
28