

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 BLAINE A. NOBLETT (CA BAR NO. 235612)
Corporations Counsel
4 DEPARTMENT OF CORPORATIONS
320 West 4th Street, Suite 750
5 Los Angeles, California 90013-2344
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6

7 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

11	In the Matter of)	FILE NO.
12	THE CALIFORNIA CORPORATIONS)	STIPULATION TO ENTRY OF DESIST
13	COMMISSIONER,)	AND REFRAIN ORDER
14	Complainant,)	CORPORATIONS CODE SECTION 31402
15	v.)	
16	BODYLOGICMD, INC. and PATRICK W.)	
17	SAVAGE, as an individual,)	
18	Respondents.)	
19)	

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21 In resolution of an inquiry into the offer and sale of unregistered franchises within the State
22 of California, and without admitting or denying such activities, IT IS HEREBY STIPULATED
23 AND AGREED between BodyLogicMD, Inc. and Patrick W. Savage (hereafter collectively
24 "Respondents") and the California Corporations Commissioner ("Commissioner"), as follows:

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1. Respondents stipulate to the issuance of the Desist and Refrain Order, in the form attached hereto and incorporated as Exhibit A, directing Respondents to desist and refrain from the further offer and sale of unregistered franchises in violation of the Franchise Investment Law (Fin. Code, §§ 31000, et seq.)

2. Respondents hereby waive all rights to any hearing or appeal of the Desist and Refrain Order.

3. Respondents stipulate that the delivery by certified mail of the executed Desist and Refrain Order issued by the Commissioner to their counsel, Keith J. Kanouse, Esq., shall constitute valid service of the Order.

4. Respondents acknowledge that remedies for violations of the Franchise Investment Law are not exclusive and may be sought and employed in any combination to enforce the purpose and provisions of this law.

5. Respondents agree that nothing in this Stipulation shall preclude the Commissioner, or his agents or employees, to the extent authorized by law, from assisting or cooperating in any investigation and/or action brought by any other federal, state or county agency. Respondents further agree that this Stipulation shall not bind or otherwise prevent any other federal, state or county agency from the performance of its duties.

6. Respondents enter into this Stipulation voluntarily and without coercion and acknowledge that no promises, threats or assurances have been made by the Commissioner or any officer, or agent thereof, about this Stipulation.

7. Respondents and the Commissioner agree that this Stipulation may be executed in one or more separate counterparts, each of which when so executed, shall be deemed an original. Such counterparts shall together constitute and be one and the same instrument.

Dated: 4/26/10

PRESTON DuFAUCHARD,
California Corporations Commissioner

By _____
Alan S. Weinger
Deputy Commissioner

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BODYLOGICMD, INC.

Dated: 4/20/10

By _____
PATRICK W. SAVAGE, Individually and on behalf of
BodyLogicMD, Inc.

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

TO: BodyLogicMD, Inc.
Patrick W. Savage, President
1499 W. Palmetto Park Road, Suite 405
Boca Raton, Florida 33486

DESIST AND REFRAIN ORDER
(For violations of Section 31110 of the Corporations Code)

The California Corporations Commissioner finds that:

1. At all relevant times BodyLogicMD, Inc. (“BodyLogicMD”) is a Florida corporation. BodyLogicMD is an entity purportedly in the business of providing a profitable, turnkey medical franchise for physicians specializing in the field of bioidentical hormone therapy and anti-aging medicine.
2. At all relevant times, BodyLogicMD conducted business at 1499 W. Palmetto Park Road, Suite 405, Boca Raton, Florida 33486. BodyLogicMD maintains a website located at www.bodylogicmd.com.
3. At all relevant times, BodyLogicMD’s president is Patrick W. Savage.
4. Beginning in or about 2007 and continuing thereafter, BodyLogicMD entered into agreements with at least four (4) California-licensed physicians to establish anti-aging specialty centers within the State of California. Pursuant to an agreement entitled, "Marketing Consulting Agreement and License," BodyLogicMD grants franchisees the right to engage in the operation of anti-aging specialty centers under the BodyLogicMD name. The franchisee is entitled, among other things, to receive a clinical review with a BodyLogicMD physician and/or chief medical officer, undergo initial practice set-up, receive operational training and support, assistance with the initial development of physician system tables, and support with the marketing of the practice. Franchisees are required to participate in the development of specific project plans and offer their support in managing and building the BodyLogicMD brand. Franchisees’ locations are listed on

1 BodyLogicMD's website.

2 5. In exchange for the foregoing rights and benefits, franchisees pay an initial
3 "Manager's Fee" of at least \$39,950.00.

4 6. These agreements constitute a franchise as defined by Corporations Code section
5 31005.

6 7. These franchises were offered or sold in this state.

7 8. The Department of Corporations has not issued a registration to BodyLogicMD for the
8 offer or sale of any franchise in this state. Additionally, the offer or sale of any franchise of
9 BodyLogicMD is not exempt from registration.

10 Based upon the foregoing findings, the California Corporations Commissioner is of the
11 opinion that BodyLogicMD, Inc. and Patrick M. Savage sold BodyLogicMD, Inc. franchises in
12 California that are subject to registration under the Franchise Investment Law, in violation of
13 Corporations Code section 31110. Pursuant to section 31402 of the Corporations Code,
14 BodyLogicMD, Inc. and Patrick W. Savage are hereby ordered to desist and refrain from the further
15 offer or sale of BodyLogicMD, Inc. franchises unless and until the offer has been duly registered
16 under the Franchise Investment Law or unless exempt. This Order is necessary, in the public interest,
17 for the protection of franchisees and consistent with the purposes, policies, and provisions of the
18 Franchise Investment Law.

19 Dated: April 15, 2010
20 Los Angeles, California

21 PRESTON DuFAUCHARD
22 California Corporations Commissioner

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24 By _____
25 ALAN S. WEINGER
26 Deputy Commissioner
27 Enforcement Division
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