

1 MARY ANN SMITH
Deputy Commissioner
2 DOUGLAS M. GOODING
Assistant Chief Counsel
3 MIRANDA LEKANDER (CA BAR NO. 210082)
Senior Corporations Counsel
4 DEPARTMENT OF BUSINESS OVERSIGHT
1515 K Street, Suite 200
5 Sacramento, California 95814
Telephone: (916) 322-8730
6 Facsimile: (916) 445-6985
7

8
9 Attorneys for Complainant

10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
11 OF THE STATE OF CALIFORNIA

12 In the Matter of THE CALIFORNIA)
COMMISSIONER OF BUSINESS) STIPULATION TO DESIST AND REFRAIN
13 OVERSIGHT,) ORDER
)
14 Complainant,)
15 v.) CORPORATIONS CODE SECTION 31402
)
16 AVENTIS HEALTHCARE INTERNATIONAL,))
17 INC. doing business as STARTUPHOMECARE))
and GEOFFREY MARK DUNNING, as an))
18 individual,))
))
19 Respondents.))
20))
21))

22
23 In resolution of an inquiry into the offer and sale of unregistered franchises within the State
24 of California, and without admitting or denying such activities, IT IS HEREBY STIPULATED
25 AND AGREED between Aventis Healthcare International, Inc. doing business as StartupHomeCare
26 and Geoffrey Mark Dunning (hereafter collectively "Respondents") and the Commissioner of
27 Business Oversight ("Commissioner") as follows:
28

1 1. Respondents stipulate to the issuance of the Desist and Refrain Order, in the form
2 attached hereto as Exhibit A, directing Respondents to desist and refrain from the further offer and
3 sale of unregistered franchises in violation of the California Franchise Investment Law.

4 2. Respondents hereby stipulate to the finality of the Desist and Refrain Order and
5 waive all rights to any hearing, review or appeal of the Desist and Refrain Order.

6 3. Respondents stipulate that the delivery by certified mail of the Desist and Refrain
7 Order to Geoffrey Mark Dunning at 7545 Irvine Center Drive, Suite 200, Irvine, California, 92618
8 shall constitute valid service of the Order.

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

12 5. Respondents understand and agree that the Order remains in effect and is public, and
13 that Respondents shall not make any statement or representation that is inconsistent with this
14 Stipulation or the Order. Respondents further understand and agree that this Stipulation does not
15 prevent the Commissioner from taking future action in regards to this matter.

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

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

24 ///

25 ///

26 ///

27 ///

28 ///

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

8. 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. A fax signature shall be deemed the same as an original signature.

Dated: 10/22/13

JAN LYNN OWEN
California Commissioner of Business Oversight

By _____
Mary Ann Smith
Deputy Commissioner

AVENTIS HEALTHCARE INTERNATIONAL, INC.
doing business as STARTUPHOMECARE

Dated: 10/16/13

By _____
Geoffrey Mark Dunning, individually and on behalf of
Aventis Healthcare International, Inc. doing business
as StartupHomeCare

Approved as to Form and Content

Dated: 10/17/13

By _____
Joel Siegel, Esq,
Attorney on behalf of AVENTIS HEALTHCARE INTERNATIONAL, INC.
doing business as STARTUPHOMECARE and GEOFFREY MARK DUNNING