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6 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
9 OF THE STATE OF CALIFORNIA

11 In the Matter of the Citation against) OAH: 2015100294
12) Franchise Org. ID: 160899
13 CHRISTOPHER CONNER and CONNER AND) **STIPULATION TO CITATION**
14 ASSOCIATES, LLC (D/B/A FRANCHISE)
15 MARKETING SYSTEMS))
16)
17)
18)
19)

21 IT IS HEREBY STIPULATED AND AGREED between CHRISTOPHER CONNER and
22 CONNER AND ASSOCIATES, LLC (collectively, "Respondents") and the California
23 Commissioner of Business Oversight ("Commissioner") as follows:

24 WHEREAS, on June 17, 2015, the Commissioner issued a Citation, Including A Desist And
25 Refrain Order, An Assessment Of Administrative Penalties, And A Claim For Ancillary Relief And
26 Costs against Respondents and others (the "Citation").

27 WHEREAS, on August 25, 2015, Respondents submitted a Request For Hearing On Citation
28 Issued By Department Of Business Oversight ("Request For Hearing");

1 WHEREAS, on October 9, 2015, the Office of Administrative Hearings set the Citation for a
2 hearing to commence on May 11, 2016;

3 WHEREAS, Respondents wish to resolve all matters, pending or that relate to matters
4 previously filed with the Commissioner by Respondents, with the Commissioner;

5 NOW, THEREFORE, in consideration of the foregoing, and the terms and conditions set
6 forth herein, the parties agree as follows:

7 1. Respondents hereby withdraw their Request For Hearing and agree to the finality of
8 the Citation.

9 2. Respondents waive all rights to any hearing of the Citation, and waive any review by a
10 court of law of the Citation.

11 3. Respondents acknowledge and agree that they have violated Corporations Code
12 sections 31200 and 31204, as recited in the Citation.

13 4. Respondents agree to comply with the Desist and Refrain Order included in the
14 Citation.

15 5. Respondents agree that Christopher Conner and all persons employed by Conner and
16 Associates, LLC, that assist in preparing franchise registrations or that assist in franchise selling shall
17 each attend eight hours of prior-approved franchise law training courses no later than 120 days from
18 the date of this Stipulation. Respondents shall submit a description of the proposed courses and
19 instructors to Adam Wright, counsel for the California Department of Business Oversight, at least 30
20 days prior to each course. The Commissioner shall approve or disapprove the proposed courses in
21 writing within five business days after being notified by Respondents. Respondents shall provide
22 proof of attendance to Adam Wright, Counsel, 320 W. 4th Street, Suite 750, Los Angeles, California
23 90013-2344.

24 6. Respondents agree to pay the administrative penalties assessed in the Citation by
25 submitting one check to Adam Wright, counsel for the California Department of Business Oversight
26 (“Department”), in the amount of \$15,000.00.
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1 7. Respondents agree to pay the attorney’s fees and investigative expenses claimed in the
2 Citation by submitting one check to Adam Wright, counsel for the Department, in the amount of
3 \$10,000.00.

4 8. Respondents agree to not offer or sell franchises, or assist in the offer or sell of
5 franchises, in the state of California until January 1, 2021.

6 9. Respondents agree that nothing in this Stipulation To Citation shall preclude the
7 Commissioner, or her agents or employees, to the extent authorized by law, from assisting in any
8 investigation and/or action brought by any other federal, state, or local agency, or from referring the
9 matter to any of those agencies; and Respondents further agree that this Stipulation shall not bind or
10 otherwise prevent any of those agencies from the performance of its duties.

11 10. Except as set forth in paragraph 8, in consideration of Respondents’ agreements
12 herein, the Commissioner hereby agrees that she shall not bring actions against Respondents for
13 violations of the California Franchise Investment Law (Corporations Code section 31000, et seq.)
14 arising from Respondents’ involvement with the franchise registration applications submitted to the
15 Department prior to the Commissioner’s issuance of the Citation by the following applicants: EZ
16 Plans Franchising, Inc.; Faranak Dorafshar, LLC; Hot Fries, LLC; KEP Fortune, LLC; SD
17 Franchising, LLC; and Star Nursing Partners, LLC.

18 11. Respondents enter into this Stipulation voluntarily and without coercion and
19 acknowledge that no promises, threats, or assurances have been made by the Commissioner or her
20 agents or employees about this Stipulation To Citation.

21 12. Respondents agree that this Stipulation To Citation may be executed in one or more
22 separate counterparts, each of which when so executed, shall be deemed an original, and these
23 counterparts shall together constitute and be one and the same instrument.

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Dated: 3/8/16
Sacramento, California

JANN LYNN OWEN
Commissioner of Business Oversight

By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division

Dated: 2/27/16
Atlanta, Georgia

CONNER AND ASSOCIATES

By _____
CHRISTOPHER CONNER, principal

Dated: 2/27/16
Atlanta, Georgia

By _____
CHRISTOPHER CONNER, an individual