

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
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Lead Corporations Counsel
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8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of THE CALIFORNIA) FILE NO. ALPHA
CORPORATIONS COMMISSIONER,)
12) STIPULATION TO FINAL ORDER THAT
Complainant,) ANDRE REVIS DESIST AND REFRAIN
13) FROM THE OFFER AND SALE OF
vs.) UNQUALIFIED, NON-EXEMPT
14) SECURITIES IN VIOLATION OF
ANDRE REVIS,) CORPORATIONS CODE SECTION 25110 and
15) FROM MISREPRESENTING AND
Respondent.) OMITTING MATERIAL FACTS IN
16) CONNECTION WITH THE OFFER AND
17) SALE OF SECURITIES IN VIOLATION OF
18) CORPORATIONS CODE SECTION 25401
19)
20)
21)
22)
23)
24)

25 IT IS HEREBY STIPULATED BY AND BETWEEN RESPONDENT ANDRE REVIS
26 (“REVIS”), AND PRESTON DuFAUCHARD, THE CALIFORNIA CORPORATIONS
27 COMMISSIONER (COMMISSIONER), AS FOLLOWS:

28 WHEREAS, on January 8, 2007, the COMMISSIONER issued a First Amended Desist and
Refrain Order against American Hyperbaric Oxygen Therapy Clinics, L.P., Neo Medical

1 Investments, LLC, Anthony Sciuto, Brett Sciuto, Frank Johnson and Andre Revis for: 1) the sale of
2 securities that were in the opinion of the COMMISSIONER unqualified, non-exempt securities in
3 violation of Corporations Code section 25110; and 2) the misrepresentation and omission of material
4 facts in connection with the offer and sale of securities that were in the opinion of the
5 COMMISSIONER in violation of Corporations Code section 25401. Attached hereto as **Exhibit A**
6 and incorporated by reference is a true and correct copy of the First Amended Desist and Refrain
7 Order dated January 8, 2007.

8 On May 14, 2007, pursuant to this Stipulation, the COMMISSIONER issued a Revised
9 Desist and Refrain Order ("REVISED ORDER") pertaining to REVIS. Attached hereto as **Exhibit**
10 **B** and incorporated by reference is a true and correct copy of the REVISED ORDER.

11 WHEREAS, Respondent, without admitting or denying such charges, seeks to resolve the
12 concerns of the COMMISSIONER by entering into this Stipulation regarding such Orders.

13 NOW, THEREFORE, the parties hereby stipulate and agree as follows:

14 1. Respondent hereby acknowledges that the COMMISSIONER is ready, willing and
15 able to grant a hearing in relation to the above mentioned Orders, which Respondent has a right to;
16 Respondent hereby voluntarily waives his right to a hearing in relation to the REVISED ORDER for
17 violations of Corporations Code section 25110, for selling unqualified, non-exempt securities and for
18 violations of Corporations Code section 25401, for omitting material facts in connection with the
19 offer and sale of securities by failing to disclose the commissions he received;

20 2. In return, the COMMISSIONER rescinds the First Amended Desist and Refrain
21 Order dated January 8, 2007, as it pertains to REVIS but not for the other respondents;

22 3. Respondent acknowledges that pursuant to Corporations Code section 25255,
23 remedies for violations of the California Corporate Securities Law of 1968 ("CSL") (Corporations
24 Code section 25000, et seq.) are not exclusive and may be sought and employed in any combination
25 to enforce that law. Therefore, it is further stipulated that this agreement does not preclude the
26 COMMISSIONER from seeking additional remedies against Respondent for violating the REVISED
27 ORDER or any law under the COMMISSIONER'S jurisdiction not related to this investigation.
28 These remedies include, but are not limited to, administrative actions, civil injunctive and ancillary

1 relief and making a criminal referral pursuant to California law;

2 5. Respondent acknowledges that nothing in this Stipulation shall preclude the
3 COMMISSIONER, or his agents or employees, to the extent authorized by law, from assisting or
4 cooperating in any investigation and/or action brought by any other federal, state or county agency.
5 Respondent further agrees that this Stipulation shall not bind or otherwise prevent any other federal,
6 state or county agency from the performance of its duties;

7 6. Respondent enters into this Stipulation voluntarily and without coercion and
8 acknowledges that no promises, threats or assurances have been made by the COMMISSIONER or
9 any officer, or agent thereof, about this Stipulation; and

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

14 Dated: *May 14, 2007*

PRESTON DUFAUCHARD
California Corporations Commissioner

16 By _____
17 ALAN S. WEINGER
18 Lead Corporations Counsel

19 Dated:

20 By _____
21 ANDRE REVIS, an individual

22 APPROVED AS TO FORM AND CONTENT:

23 By _____
24 KRISTIN M. CANO, Esq.
25 Attorney for Andre Revis

26 Dated:
27
28

1 relief and making a criminal referral pursuant to California law;

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14 Dated: PRESTON DUFAUCHARD
California Corporations Commissioner

16 By _____
17 ALAN S. WEINGER
18 Lead Corporations Counsel

19 Dated: May 14, 07
20 By _____
21 ANDRE REVIS, an individual

22 APPROVED AS TO FORM AND CONTENT:

23 By _____
24 KRISTIN M. CANO, Esq.
25 Attorney for Andre Revis

26 Dated: 14 May '07