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

11 In the Matter of the)
CITATIONS AND) STIPULATION TO CITATIONS AND DESIST
12 DESIST AND REFRAIN ORDER) AND REFRAIN ORDER
13 Issued To:)
)
14 DA-VI NAILS INTERNATIONAL, L.L.C.,)
15 DAVID TRUONG, and VI TRUONG CAO)
)
16 Respondents.)
17)
18)

19 IT IS HEREBY STIPULATED BY AND BETWEEN THE RESPONDENTS DA-VI NAILS
20 INTERNATIONAL, L.L.C., DAVID TRUONG, and VI TRUONG CAO (“RESPONDENTS”),
21 AND JAN LYNN OWEN, CALIFORNIA CORPORATIONS COMMISSIONER
22 (“COMMISSIONER”), AS FOLLOWS:

23 WHEREAS, RESPONDENTS admit the jurisdiction of the CALIFORNIA DEPARTMENT
24 OF CORPORATIONS over their persons and over the subject matter of this Stipulation.

25 WHEREAS, RESPONDENTS waive the right of hearing, including that provided by
26 California Corporations Code sections 25532 subdivision (d) and 25609.

27 WHEREAS, all terms used, but not defined herein, shall have the meaning assigned to them
28 by the California Corporations Code.

1 WHEREAS, RESPONDENTS represent that no promises of any kind or nature whatsoever
2 were made to induce them to enter into this Stipulation, and that this Stipulation is a voluntary act on
3 the part of RESPONDENTS.

4 WHEREAS, on July 30, 2012 the COMMISSIONER issued a Citation and Desist and Refrain
5 Order (“Order”) against DA-VI NAILS INTERNATIONAL, L.L.C., DAVID TRUONG, and VI
6 TRUONG CAO (“Respondents”) for offering and/or selling unregistered non-exempt franchises, for
7 making misrepresentations and omissions of material fact in the offer and/or sale of said franchises,
8 and for violating an order of the Commissioner. Further, the Order required the RESPONDENTS to
9 pay to the COMMISSIONER citations in the amount of twenty two thousand five hundred dollars
10 (\$22,500). The Order is attached to this Stipulation as Exhibit A.

11 WHEREAS, RESPONDENTS agree and acknowledge that nothing in this Stipulation shall
12 preclude the COMMISSIONER, his agents, officers, or employees, to the extent authorized by law,
13 from referring any evidence or information regarding this matter to any other state or federal law
14 enforcement official, or from assisting, cooperating, or co-prosecuting with regards to any
15 investigation and/or action.

16 WHEREFORE, RESPONDENTS DA-VI NAILS INTERNATIONAL, L.L.C., DAVID
17 TRUONG, and VI TRUONG CAO stipulate and agree to the finality of the COMMISSIONER’S
18 Order. RESPONDENTS understand and agree not to represent that this Stipulation is a settlement or
19 a withdrawal of the COMMISSIONER’S Order. RESPONDENTS further understand and agree that
20 the Order remains in full effect, and that they cannot deny the violations cited in the
21 COMMISSIONER’S Order or make any statement or representation that is inconsistent with this
22 Stipulation or the Order.

23 RESPONDENTS further stipulate and agree to pay to the COMMISSIONER an
24 administrative penalty in the amount of seven thousand five hundred dollars (\$7,500.00) within
25 twenty days after the execution of this Stipulation. If Respondents fail to timely make this payment,
26 the entire \$22,500 citation shall become immediately due and payable and Respondents hereby waive
27 their right to contest this amount.

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1 RESPONDENTS further understand and agree this Stipulation does not prevent the
2 COMMISSIONER from taking future action in regard to this matter.

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4 Dated: 08/09/12

DA-VI NAILS INTERNATIONAL, L.L.C.

5
6 By: _____
7 DAVID TRUONG

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9 Dated: 08/09/12

By: _____
10 DAVID TRUONG

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12 Dated: 08/09/12

By: _____
13 VI TRUONG CAO

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15 Dated: 08/13/12

JAN LYNN OWEN
California Corporations Commissioner

16
17 By: _____
18 ALAN WEINGER
19 Deputy Commissioner

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EXHIBIT A

***CITATIONS
AND
DESIST AND REFRAIN ORDER***
(For violations of sections 31110, 31201 and 31203 of the Corporations Code)

Issued to
DA-VI NAILS INTERNATIONAL, L.L.C., DAVID TRUONG, AND VI TRUONG CAO