

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
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10 BEFORE THE DEPARTMENT OF CORPORATIONS
11 OF THE STATE OF CALIFORNIA
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14 In the Matter of the Accusation of THE) File No.: 963-2395
CALIFORNIA CORPORATIONS)
15 COMMISSIONER,) ORDER IMPOSING PENALTIES PURSUANT
16) TO CALIFORNIA FINANCIAL CODE
Complainant,) SECTION 17408
17)
18 vs.)
19 ROCK & ROLL ESCROW, INC.,)
20 Respondent.)
21)

22 TO: ROCK & ROLL ESCROW, INC.
23 12100 Wilshire Blvd., Suite M-10
24 Los Angeles, California 90025

25 NOW THEREFORE the California Corporations Commissioner (“Commissioner”) having
26 found that ROCK & ROLL ESCROW, INC. failed to file its annual audit report containing audited
27 financial statements for its fiscal year ended June 30, 2007 (herein “Annual Report”) as required by
28 Financial Code section 17406, ROCK & ROLL ESCROW, INC. is hereby ordered, pursuant to

1 Financial Code section 17408, to pay to the Commissioner the sum of \$16,100.00, plus an additional
2 \$100.00 per calendar day for each day after the date of this Order that the Annual Report is not filed.

3 Pursuant to Financial Code section 17406, ROCK & ROLL ESCROW, INC. (“ROCK &
4 ROLL”) was required to submit its Annual Report for the fiscal year ended June 30, 3007 to the
5 Commissioner on or before October 15, 2007.

6 On or about May 21, 2007, the Commissioner notified ROCK & ROLL in writing that its
7 Audit Report was due October 15, 2007. ROCK & ROLL failed to file the Audit Report by October
8 15, 2007.

9 On or about October 25, 2007, a follow up letter was sent to ROCK & ROLL concerning its
10 failure to file the Audit Report. ROCK & ROLL was notified in the letter that failure to file the
11 Audit Report could result in assessment of penalties, a special examination and/or administrative
12 action.

13 ROCK & ROLL has yet to file the Audit Report as required by Financial Code section
14 17406.

15 Financial Code Section 17408, subdivisions (b) – (e) provides as follows:

16 (b) The commissioner may impose, by order, a penalty on any person
17 who fails, within the time specified in any written demand of the
18 commissioner, (1) to make and file with the commissioner any report
19 required by law or requested by the commissioner. . . . The amount of the
20 penalty shall be one hundred dollars (\$100) for each day for the first five
days the report or information is overdue and, thereafter, five hundred dollars
(\$500) for each day the report or information is overdue.

21 (c) If, after an order has been made under subdivision (b), a request for
22 hearing is filed in writing within 30 days of the date of service of the order
23 by the person to whom the order was directed, a hearing shall be held
24 in accordance with the Administrative Procedure Act, Chapter 5 (commencing
with Section 11500) of Part 1 of Division 3 of Title 2 of the Government
Code, and the commissioner shall have all the powers granted under that chapter.

25 (d) If the person fails to file a written request for a hearing within 30 days
26 of the date of service of the order, the order imposing the penalty shall be
27 deemed a final order of the commissioner, and the penalty shall be paid within
28 five business days.

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(e) If a hearing is requested, the penalty shall be paid within five business days after the effective date of any decision in the case ordering payment to be paid.

Dated: March 25, 2008
Sacramento, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____

Alan S. Weinger, Lead Corporations Counsel