

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

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IN THE MATTER OF: AUCTIONS FOR INCOME, )  
ITS OFFICERS, DIRECTORS, )  
EMPLOYEES, AGENTS, AFFILIATES, ) File No. 0600576  
SUCCESSORS AND ASSIGNS, )  
AND DAVE ESPINO )

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SUMMARY ORDER TO CEASE AND DESIST

TO THE RESPONDENT: Dave Espino  
Auctions for Income  
15820 Euclid Ave.  
Chino, California 91708

On information and belief, I, Jesse White, Secretary of State, for the State of Illinois, through my designated representative, having been fully apprised in the premises by the staff of the Illinois Securities Department, Office of the Secretary of State, herein find:

1. That the Respondent, Auctions for Income, is a purported business entity with a last known address of 15820 Euclid Ave., Chino, California 91708;
2. That, at all times relevant the Respondent Dave Espino was an Officer, Director, Agent or Employee of Auctions for Income;
3. That on or about November 3, 2004, the Illinois Secretary of State entered an Order to Cease and Desist which ordered Respondents Auctions for Income, its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, and Dave Espino to cease and desist from offering or selling business opportunities in the State of Illinois or to residents of the State of Illinois; said Order to Cease and Desist was properly served upon the Respondents on November 15, 2004;
4. That during the month of September, 2006, Auctions for Income by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, offered and/or sold to at least one (1)

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resident of the State of Illinois, an opportunity to purchase supplies, equipment or services purportedly sufficient to enable the Illinois resident to start a business, including, but not limited to, assistance in setting up an EBay account, posting photographs of merchandise, and providing an "assistance hot line" as well as advice in selling methods, in return for payments which totaled \$64.00;

5. That Auctions for Income, by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, represented to the Illinois resident, either directly or indirectly, that it would provide a marketing plan;
6. That Section 5-5.10(a) of the Illinois Business Opportunity Sales Law of 1995, [815 ILCS 602 5-1 et seq.] (the "Act") provides, inter alia, that a business opportunity is a contract or agreement, between a seller and a purchaser, express or implied, orally or in writing, wherein it is agreed that the seller or a person recommended by the seller shall provide to the purchaser any product, equipment, supplies or services enabling the purchaser to start a business when the purchaser is required to make a payment to the seller or a person recommended by the seller and the seller represents directly or indirectly, orally or in writing, that the seller will provide a marketing plan;
7. That the above-referenced promotion, solicitation or offer constitutes an offer and/or sale of a business opportunity as those terms are defined pursuant to Sections 5-5.10 and 5-5.20 of the Act;
8. That Section 5-25 of the Act provides, inter alia, that it is unlawful for any person to offer or sell any business opportunity in the State of Illinois unless that business opportunity is registered under the Act or is exempt from registration under Section 5-10 of the Act;
9. That Section 5-95 (b)(1) of the Act provides, inter alia, that no person shall, either directly or indirectly, fail to comply with the terms of any order issued pursuant to this Act or any rules adopted by the Secretary of State;
10. That at all times relevant, Respondent Auctions for Income, by and through its Officers, Directors,

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Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, failed to obtain or file for registration of the above-referenced business opportunity prior to any offer or sale in the State of Illinois;

11. That at all times relevant, Respondent Auctions for Income, by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, failed to comply with the Order to Cease and Desist entered on November 3, 2004, by continuing to offer and sell business opportunities in the State of Illinois and to residents of the State of Illinois after the aforesaid Order was entered by the Illinois Secretary of State and served upon Respondent;
12. That by virtue of the foregoing, Respondent Auctions for Income, by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, has violated Section 5-25 and 5-95 (b)(1) of the Act;
13. That Section 5-65 of the Act provides, inter alia, that whenever it appears to the Secretary of State that any person has engaged or is about to engage in any act or practice constituting a violation of the Act, the Secretary of State may issue an Order directing such person to cease and desist from engaging in any act or practice constituting a violation of any provision of the Act;
14. That based upon the foregoing, the Secretary of State hereby deems it necessary, in order to prevent Auctions for Income, by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including and Dave Espino, from engaging in any act or practice in violation of the Act, to enter a Summary Order to Cease and Desist pursuant to the authority provided under Section 5-65 of the Act; and
15. That based upon the foregoing, the Secretary of State has determined that the issuance of a Summary Order to Cease and Desist is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 5-65 of the Act, Auctions

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for Income, by and through its Officers, Directors, Employees, Agents, Affiliates, Successors and Assigns, including Dave Espino, is to CEASE and DESIST from offering and/or selling business opportunities in the State of Illinois or to residents of the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondents may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 300 West Jefferson, Suite 300A, Springfield, Illinois 62702. Such request must be made within thirty (30) days of the entry of this Summary Order to Cease and Desist. Upon receipt of a request for hearing, a hearing will be scheduled. Request for hearing will not stop the effectiveness of this Summary Order to Cease and Desist.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS SUMMARY ORDER TO CEASE AND DESIST SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE CEASE AND DESIST ORDER FINAL.

ENTERED: This 23<sup>rd</sup> day of February, 2007 *JH*

  
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JESSE WHITE  
Secretary of State  
State of Illinois

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