



Certified True Copy Of The Original
 Dated This 26th Day Of Oct, 2009
 Trial Court Administrator
 By: P. Ulmer

FILED
 10/26/09
 COOS COUNTY
 CLERK

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CIRCUIT COURT OF OREGON
 COOS COUNTY

IN THE MATTER OF:

CONSOLIDATED FINANCIAL, LLC,
 Respondent.

Case No. 09CV0856
 ASSURANCE OF VOLUNTARY
 COMPLIANCE

1.

CONSOLIDATED FINANCIAL, LLC has done business in Oregon.
 CONSOLIDATED FINANCIAL, LLC is respondent herein. David V. Fedosky is an officer
 and the managing member of Consolidated Financial, LLC. This agreement is between
 respondent and the Oregon Department of Justice (DOJ) acting pursuant to ORS 646.632.

PROCEDURE

2.

This Assurance of Voluntary Compliance (AVC) is a settlement of a disputed matter. It
 shall not be considered an admission of a violation for any purpose. Respondent and DOJ agree
 that no provision of this AVC operates as a penalty, forfeiture, or punishment under the
 Constitution of the United States, under the Constitution of the State of Oregon, or under any
 other provision of law. Respondent has declared its belief that it did not violate Oregon law.

3.

Respondent acknowledges a notice from the State of Oregon pursuant to ORS
 646.632(2) of the alleged unlawful trade practice and the relief to be sought.

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Respondent understands and agrees that this AVC applies to respondent, its managing member, its principals, officers, directors, agents, employees, representatives, successors and assigns, jointly and severally, while acting personally, or through any corporation or other business entities, whose acts, practices or policies are directed, formulated or controlled by respondent.

Respondent agrees and understands that, after DOJ has accepted the AVC, DOJ may communicate directly with respondent for the purpose of executing and enforcing the terms of this agreement, resolving future complaints, and conducting undercover investigations of respondent to the extent permitted by law.

Respondent understands and agrees that if this AVC is accepted by DOJ, it will be submitted to the Circuit Court of the State of Oregon for Coos County for approval, and, if approved, will be filed with the court pursuant to ORS 646.632(2).

Respondent waives any further notice of submission to and filing with the court of this AVC. Respondent agrees to accept service of a conformed or court certified copy by prepaid first class mail sent to the address following its signature or to its attorney.

If monies that are ordered to be paid in this AVC are not paid timely, DOJ may convert the AVC to a money judgment under ORS 646.632(2) without notice to respondent. Respondent agrees that a copy of the money judgment may be sent to respondent, first class mail to the address following its signature or to its attorney.

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9.

Respondent understands that, in addition to any other sanctions that may be imposed under this AVC or under the law, violation of any of the terms of this AVC may result in contempt of court proceedings, civil penalties of up to \$25,000 for each violation, and such further relief as the court may deem appropriate. ORS 646.632(4), ORS 646.642(1) and ORS 646.642(2).

10.

The parties acknowledge that no other promises, representations, or agreements of any nature have been made or entered into by the parties. The parties further acknowledge that this AVC constitutes a single and entire agreement that is not severable or divisible, except that if any provision herein is found to be legally insufficient or unenforceable, the remaining provisions shall continue in full force and effect.

REMEDIES

11.

Respondent shall obey Oregon's Unlawful Trade Practices Act, ORS 646.605 to ORS 646.656; Oregon's trust laws, including but not limited to ORS 128.001; and Oregon's laws and regulations governing financial institutions, including but not limited to ORS 709.005.

12.

Respondent shall not represent or imply that DOJ acquiesces or approves of respondent's past business practices, current efforts to reform its practices, or any future practices which respondent may adopt or consider adopting. DOJ's decision to settle this matter or to otherwise unilaterally limit current or future enforcement action does not constitute approval or imply authorization for any past, present, or future business practice.

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13.

Respondent shall pay the sum of \$7,500.00 to DOJ for deposit to the Department of Justice Account established pursuant to ORS 180.095. Said sum shall be used by DOJ as provided by law. However, if respondent pays \$3,000.00 of that amount to DOJ at the time of execution of this AVC and if respondent follows the terms of this AVC for the term of one year, the balance of the \$7,500 will not have to be paid by respondent. This term does not change the responsibility of respondent to follow the other requirements of the AVC beyond one year.

14.

Prior to the execution of this AVC respondent has refunded to five Oregon consumers the full amount of fees respondent received (\$2,455.00) for working with the Estate Planning System (EPS) in regard to trust document preparation as part of an Estate Planning Process conducted by EPS.


15.

Effective immediately upon execution by respondent of this AVC, respondent agrees to the following requirement:

- A. Respondent will not sell trusts of any kind in Oregon, or accept payment or anything of value in exchange for the preparation of any trust in Oregon unless licensed to do so.

APPROVAL BY COURT

APPROVED FOR FILING and SO ORDERED this 22nd day of Oct., 2009.

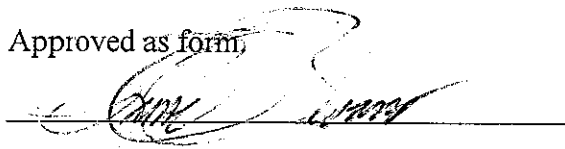


Circuit Court Judge

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2 **APPROVAL AS TO FORM**

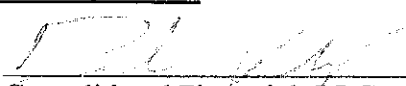
3 Approved as form,

4 
5 Russell D. Bevans OSB #73028

6
7 **RESPONDENT'S SIGNATURE AND ACKNOWLEDGMENT**

8 Respondent has read and understands this agreement and each of its terms. Respondent
9 agrees to each and every term.

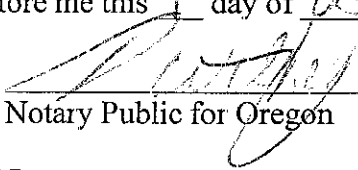
10 **Corporate Respondent**

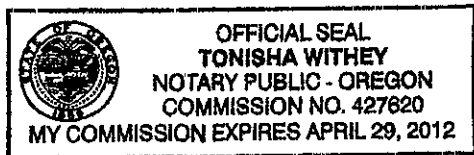
11 
12 Consolidated Financial, LLC
13 Managing Member

14 DAVID V FEDOSKY
15 Print Name

16 Address 1867 Williams Hwy
Grants Pass, OR 97527

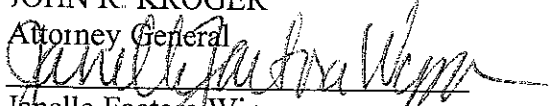
17 SUBSCRIBED AND SWORN to before me this 1st day of October, 2009.

18 
19 Notary Public for Oregon



ACCEPTANCE OF DOJ

Accepted this 8 day of October, 2009.

JOHN R. KROGER
Attorney General

Janelle Factora Wipper
Senior Assistant Attorney General
Department of Justice
Of Attorneys for Plaintiff
Financial Fraud/Consumer Protection Section
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