

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA ex rel.)
 THOMAS J. MILLER,)
 ATTORNEY GENERAL OF IOWA,)
 99AG25112)
)
 Plaintiff,)
)
 MICHAEL DONALD DAVIES,)
)
 and)
)
 VICKY HWA-SUKBUYON DAVIES,)
)
 Defendants)

Equity No. CE 69362

CONSENT JUDGMENT

FILED
 POLK COUNTY, IA
 1 AUG 26 AM 11:21
 IOWA DISTRICT COURT

On this 26th day of August, 2011, the Court, having been presented by Assistant Attorney General Steve St. Clair with this Consent Judgment and having reviewed the file in this matter, determines that final judgment should be entered herein, and finds as follows:

1. Plaintiff State of Iowa ex rel. Thomas J. Miller, Iowa Attorney General, has filed a Petition in Equity against the above-captioned defendants ("Defendants") pursuant to Iowa Code § 714.16 (2011), the Iowa Consumer Fraud Act, and this Consent Judgment, which has been approved by Plaintiff and each Defendant, is intended to resolve this litigation.
2. The Court has jurisdiction of the parties and subject matter.
3. Defendants deny wrongdoing or liability of any kind, but have agreed to entry of this Consent Judgment in order to resolve their dispute with Plaintiff.
4. The Court finds that this Consent Judgment should be entered.
5. This Consent Judgment constitutes a full and final resolution of any and all claims by the Iowa Attorney General against Defendants for violations of the CFA that occurred prior to

the effective date of this Consent Judgment in connection with fundraising conducted by and through Lino's, Inc.

IT IS THEREFORE ORDERED that Defendants shall be permanently enjoined from engaging, directly or indirectly, in any form of fundraising, whether by telephone or otherwise, directed to residents of Iowa or directed to residents of other states from an Iowa location.

IT IS FURTHER ORDERED that, in addition to whatever other legal remedies may be available, a violation of this Consent Judgment constitutes a violation of the Iowa Consumer Fraud Act, Iowa Code §714.16, and each violation by one of more Defendants of this Consent Judgment, if established by a preponderance of the evidence in a Consumer Fraud Act action by the Attorney General, gives rise to a presumptive civil penalty in the highest amount provided for by Iowa Code §714.16 (7), namely \$40,000.00.

IT IS FURTHER ORDERED that Plaintiff be permitted to retain, and/or dispose of at will, any and all information, documents, materials, and any and all other items seized pursuant to search warrant (Polk County, SWCR 242157), providing however that Defendants shall be given a reasonable opportunity to retrieve such personal items as Plaintiff may in its sole discretion choose to release to Defendants.

~~**IT IS FURTHER ORDERED**~~ that, except as provided below, the freeze order contained within the above-referenced search warrant and directed to First American Bank, affecting *inter alia* financial accounts and supporting documents and safeboxes, be immediately lifted. Provided however that First American Bank shall deliver all of the remaining funds in the following accounts to the Attorney General's Office: DDA # 11266808; DDA # 11279478; and DDA # 11255657. Defendants are herein deemed to have consented to such transfer and shall and are directed to cooperate in effecting such transfer(s) to the fullest extent necessary.

IT IS FURTHER ORDERED that the Attorney General shall deposit such funds delivered by First American Bank into the consumer fraud enforcement fund referred to in Iowa

Code § 714.16A.

IT IS FURTHER ORDERED that Defendants shall make their best efforts to make full refunds of specified donations upon receiving a request to do so either directly from the donors or forwarded by the Attorney General.

SO ORDERED.



Judge, Fifth Judicial District of Iowa



RICHARD G. BLANE, II
District Judge

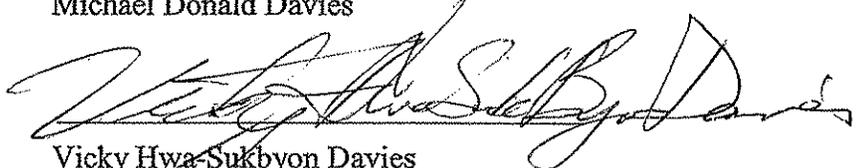
Approved:

Date: 8-7-11



Michael Donald Davies

Date: 8/8/11



Vicky Hwa-Sukbyon Davies

Date: 8-26-11



Steve St. Clair
Assistant Iowa Attorney General