

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE  
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF :	)	Administrative
	)	Proceeding
LA MAL & FRIENDS, INC.	)	Number: <u>C-06-0074</u>
	)	
10425 S. Western Avenue	)	
Los Angeles, California 90047	)	
	)	
<i>Respondent</i>	)	

**FINAL CEASE AND DESIST ORDER AND  
ORDER IMPOSING ADMINISTRATIVE PENALTY**

The SECRETARY OF STATE OF MISSISSIPPI, by and through the undersigned designated representative, after serving a Summary Cease and Desist Order and Notice of Intent to Impose Administrative Penalty issues this Final Cease and Desist Order and Order Imposing Administrative Penalty against LA MAL & FRIENDS, INC. (hereinafter "La Mal") and states the following.

**I. JURISDICTION**

The Secretary of State is vested with the regulation of charitable organizations that solicit donations in the State of Mississippi pursuant to Miss. Code Ann. §79-11-501, *et seq.* (Rev. 2001). La Mal is a charitable organization as defined by Miss. Code Ann. §79-11-501(a) (i) (Rev. 2001), to-wit:

(A) Any person determined by the Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code.

La Mal is a charitable organization as defined by the Act, and therefore subject to the Secretary of State's regulatory authority. The Secretary of State, therefore, finds that he has jurisdiction over the subject matter and the parties herein.

## II. FINDINGS OF FACT

1. In November 2005, an employee of the Secretary of State's Office, Business Regulation and Enforcement Division ("Division") received documentation that La Mal was soliciting contributions from Mississippi residents.

2. A diligent search of the records of the Division revealed that La Mal was not registered to solicit donations in the State of Mississippi.

3. On November 23, 2005, a member of the Division mailed a registration package to La Mal to complete registration.

4. Currently, La Mal is still not registered with the Division.

5. On February 22, 2006, the Division issued a Summary Cease and Desist Order and Notice of Intent to Impose Administrative Penalty against La Mal. La Mal has failed to respond to this order; therefore, entry of a Final Order is appropriate.

## III. CONCLUSIONS OF LAW

6. According to Miss. Code Ann. §79-11-503(1) (Rev. 2001), every charitable organization, which solicits or intends to solicit contributions, shall file a registration statement with and pay a filing fee of Fifty Dollars (\$50.00) to the Secretary of State. Since La Mal is soliciting contributions in the State of Mississippi, without being registered, it is therefore in violation of this provision.

7. Since La Mal is soliciting contributions without being registered, it is, therefore, subject to the provisions of §79-11-509 (Rev. 2001) to include the issuance of a cease and desist order with or without a prior hearing.

#### IV. PUBLIC INTEREST

The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purposes set out in Miss. Code. Ann. §79-11-501, *et seq.* (Rev. 2001).

#### V. FINAL ORDER

**IT IS THEREFORE ORDERED**, pursuant to Miss. Code Ann. §79-11-509(4) (Rev. 2001), that La Mal shall immediately and permanently **CEASE AND DESIST** soliciting charitable contributions in and from the State of Mississippi as defined by Miss. Code Ann. §79-11-501 (Rev. 2001).

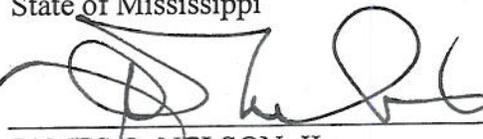
**IT IS FURTHER ORDERED**, that La Mal shall pay an administrative penalty in the amount of Twenty-five Thousand Dollars (\$25,000.00), made payable to the Mississippi Secretary of State upon execution of this Order.

BE ADVISED THAT, a willful violation of this Final Cease and Desist Order and Order Imposing Administrative Penalty may be punishable upon conviction by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) or five (5) years imprisonment, or both, in addition to civil and administrative remedies to the Division.

SO ISSUED, this the 3<sup>RD</sup> day of APRIL, 2006.

ERIC CLARK  
Secretary of State  
State of Mississippi

BY:

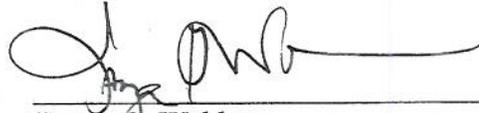
  
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JAMES O. NELSON, II  
Assistant Secretary of State  
Business Regulation & Enforcement

**CERTIFICATE OF SERVICE**

I, Tanya G. Webber, do here by certify, that I have this day, mailed via United States Certified Mail, a true and correct copy of the Final Cease and Desist Order and Order Imposing Administrative Penalty to the following:

La Mal & Friend, Inc.  
c/o Ms. LaJoyce Stewart  
10425 S. Western Avenue  
Los Angeles, California 90047

This the 4<sup>th</sup> day of April, 2006.



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Tanya G. Webber  
Senior Attorney  
Business Regulation and Enforcement

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