BEFORE THE
DEPARTMENT OF CORPORATIONS
STATE OF CALIFORNIA

In the Matter of the Accusation of:	)	
	)	
MICHAEL J. BOSCHETTI	)	OAH No. L2003080285
4478 Lakeview Drive	)	
Vacaville, CA 95688	)	
	)	
Respondent	)	

ORDER OF DISMISSAL

The attached Proposed Order of Dismissal of the Administrative Law Judge is hereby adopted by the Department of Corporations as its Order in the above-entitled matter, with the following technical and minor change pursuant to Government Code Section 11517(c)(2)(C):

On page 1, in the first paragraph under the heading of the Proposed Order of Dismissal, the date "October 22, 2003" is substituted for "February 25, 2003."

This Order shall become effective on February 25, 2004.

IT IS SO ORDERED February 25, 2004.

WILLIAM P. WOOD
California Corporations Commissioner

BEFORE THE
DEPARTMENT OF CORPORATIONS
STATE OF CALIFORNIA

In the Matter of the Accusation of: MICHAEL J. BOSCHETTI 4478 Lakeview Drive Vacaville, CA 95688 Respondent.	OAH No. N2003080285

PROPOSED ORDER OF DISMISSAL

Administrative Law Judge Diane Schneider, State of California, Office of Administrative Hearings, heard this matter in Oakland, California on February 25, 2003.

Corporations Counsel Donald A. Newbold represented complainant, California Corporations Commissioner, Demetrios A. Boutris (complainant).

Respondent, Michael J. Boschetti (respondent), appeared and was represented by John Preston, Attorney at Law, 1060 Clarendon Crescent, Oakland, California, 94610.

On November 21, 2003, Corporations Counsel Donald A. Newbold (Newbold) submitted a three page fax transmittal, marked for identification as complainant's Exhbit 44. On November 24 2003, Newbold submitted an additional three page fax transmittal, marked for identification as complainant's Exhibit 45.

FACTUAL FINDINGS

1. On December 24, 2002 complainant issued a Desist and Refrain Order to respondent. Respondent appealed.

2. On October 22, 2003, hearing commenced on respondent's appeal from the Desist and Refrain Order.

3. At the hearing on October 22, 2003, no evidence was presented to support the Desist and Refrain Order.

4. At the hearing on October 22, 2003, Complainant made a motion to dissolve the Desist and Refrain Order.

LEGAL CONCLUSIONS

1. Based upon Factual Findings 3 and 4, cause does not exist for the Desist and Refrain Order on December 24, 2002.

ORDER

The Desist and Refrain Order issued to respondent on December 24, 2002 is hereby dissolved.

DATED: 12/18/03

DIANE SCHNEIDER
Administrative Law Judge
Office of Administrative Hearings