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**STATE OF CALIFORNIA**  
**BUSINESS, TRANSPORTATION AND HOUSING AGENCY**  
**DEPARTMENT OF CORPORATIONS**

**TO: JOHN D. GORLA**  
**499 Springbrook N**  
**Irvine, CA 92614**

**DESIST AND REFRAIN ORDER**

**(For violations of sections 25210 and 25401 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. John D. Gorla possessing no certificate as a broker-dealer or agent offered and sold to a resident of California securities in the form of viaticals issued by The Alpha Capital Group, LLC by means of an oral communication containing false statements or omissions of material fact.
2. On December 16, 1998, John D. Gorla offered and sold securities in the form of viaticals issued by The Alpha Capital Group, LLC to the same investor in three separate transactions totaling \$150,000.
3. John D. Gorla told an investor that there were no risks and “swore” that the investment was safe. Despite John D. Gorla’s assurances, the investments were at risk.

Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that John D. Gorla has effected a transaction in a security as a broker-dealer without first having applied for and secured from the Commissioner a certificate, then in effect, authorizing him to act in that capacity, in violation of section 25210 of the Corporate Securities Law of 1968. Pursuant to Section 25532 of the Corporate Securities Law of 1968, John D. Gorla is hereby ordered to **DESIST and REFRAIN** from effecting any transaction in, or inducing or attempting to induce the purchase or sale of, any security in

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1 this state, unless and until he has applied for and secured from the Commissioner a  
2 certificate, then in effect, authorizing him to act in that capacity.

3 Further, John D. Gorla offered and sold the security of The Alpha Capital Group, LLC  
4 in this State by means of written or oral communications which included untrue statements  
5 of a material fact or omitted to state a material fact necessary in order to make the  
6 statements made, in light of the circumstances under which they were made, not  
7 misleading, in violation of section 25401 of the Corporate Securities Law of 1968. Pursuant  
8 to Section 25532 of the Corporate Securities Law of 1968, John D. Gorla is hereby ordered  
9 to **DESIST and REFRAIN** from offering and selling any security in the State of California,  
10 including but not limited to, by means of any written or oral communication which includes  
11 an untrue statement of a material fact or omits to state a material fact necessary in order to  
12 make the statements made, in light of the circumstances under which they were made not  
13 misleading.

14 This Order is necessary, in the public interest, for the protection of investors and  
15 consistent with the purposes, policies, and provisions of the Corporate Securities Law of  
16 1968.

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18 Dated: December 24, 2002

19 Sacramento, California

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21 DEMETRIOS A. BOUTRIS  
22 California Corporations Commissioner

23  
24 By \_\_\_\_\_  
25 VIRGINIA JO DUNLAP  
26 Supervising Counsel  
27 Enforcement and Legal Services  
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