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

TO: Josh Joel Murakami  
Josh Edwyn Allen  
Profusion Holdings, LLC  
dba Prevail Consulting  
2511 54<sup>th</sup> Street  
Lubbock, Texas, 79413

**DESIST AND REFRAIN ORDER**  
**(For violations of sections 29535 and 29536 of the Corporations Code)**

The California Corporations Commissioner finds that:

1. Profusion Holdings, LLC, dba Prevail Consulting (“Profusion Holdings”) was formed on June 20, 2001 in Delaware and at all relevant times operated its business out of 5315 45<sup>th</sup> Street, Lubbock, Texas, 79414 and 2511 54<sup>th</sup> Street, Lubbock, Texas, 79413. Josh Joel Murakami (“Murakami”) and Josh Edwyn Allen (“Allen”) were managing members of Profusion Holdings.

2. The National Futures Association (“NFA”) is the national self regulatory organization for the United States futures industry to whom the Commodities Futures Trading Commission (“CFTC”) has delegated registration responsibility and authority. On March 1, 2004 the NFA issued a Complaint to Murakami, Allen and Profusion Holdings for the use of deceptive and misleading promotional material, among other things, that resulted in a Decision, which became effective March 16, 2004, terminating and permanently barring Murakami and Profusion Holdings from NFA membership, and terminating and barring Allen from NFA membership for a period of ten years.

3. Beginning in 2005, for a monthly fee, Murakami, Allen and Profusion Holdings provided California subscribers signals generated by an alleged confidential trading model that the subscribers would use to implement speculative trades in an options and futures trading account. Subscribers who engaged in trading based on such signals lost significant amounts of their savings.

