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Deputy Commissioner
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6

7 Attorneys for Complainant

8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

10 In the Matter of)
11)
12 THE CALIFORNIA COMMISSIONER OF)
BUSINESS OVERSIGHT,)
13)
Complainant,)
14 v.)
15 RALPH O. BERRY III, aka Ralph O. Berry, aka)
Ralph Berry, BILL LAWRENCE, BERRY)
16 RESOURCES, INC., and BERRY PROSPECT)
#21, KENTUCKY LIMITED PARTNERSHIP,)
17)
Respondents.)
18)

ORDER IMPOSING PENALTIES AND
ANCILLARY RELIEF

19
20 To: Bill Lawrence
Berry Resources, Inc.
21 Berry Prospect #21 Kentucky Limited Partnership
22 146 Witt Road
Bowling Green, KY 42101-9675
23

24 The California Commissioner of Business Oversight (“Commissioner”) of the Department of
25 Business Oversight (“Department”), finds that:

- 26 1. On April 6th, 2011, the Commissioner issued a Notice of Intention to Issue Order
27 Levying Administrative Penalties (Corporations Code section 25252) and Claim for Ancillary Relief
28 (Corporations Code section 25254), a Statement in Support thereof, as well as a Desist and Refrain

1 Order against Ralph O. Berry III, aka Ralph O. Berry, aka Ralph Berry, Bill Lawrence, Berry
2 Resources, Inc., and Berry Prospect #21 Kentucky Limited Partnership, (collectively,
3 “Respondents”).

4 2. Respondent Bill Lawrence was served a copy of the aforementioned documents on
5 June 9, 2011.

6 3. Respondent Lawrence did not file a notice of defense or otherwise request a hearing.

7 NOW THEREFORE, GOOD CAUSE SHOWING, pursuant to Corporations Code section
8 25252, the Commissioner having found that Respondent Bill Lawrence willfully violated
9 Corporations Code sections 25110, 25210 and 25401, as well as the Commissioner’s Desist and
10 Refrain Order of October 24, 2007, Respondent is hereby ordered to pay the Commissioner the sum
11 of \$165,000.00 in administrative penalties. Respondent Bill Lawrence is also jointly and severally
12 responsible for the administrative penalties sought against the remaining Respondents Ralph O.
13 Berry, III, also known as Ralph O. Berry and Ralph Berry, Berry Resources, Inc., and Berry
14 Prospect #21, Kentucky Limited Partnership in the amount of \$344,500.00, and is hereby ordered to
15 pay the Commissioner a total amount of \$509,000.00 in administrative penalties.

16 Further, pursuant to Corporations Code section 25254, Respondent Bill Lawrence is hereby
17 ordered to pay to the Commissioner full restitution of principal investment monies in an amount of
18 \$14,000.00 plus the legal rate of interest accumulated on the investment principal, in the amount of
19 \$13,281.96 for a total amount of \$27,281.96.

20 Additionally, pursuant to Corporations Code section 25254, Respondent Bill Lawrence is
21 hereby ordered to pay to the Commissioner attorney’s fees, investigative expenses, and costs in an
22 amount of \$7,963.85.

23 Payment in the total amount of \$544,245.81 shall be made by January 12, 2015, in the form
24 of a cashier’s check, made payable to the following:

25 Department of Business Oversight
26 1515 K Street, Suite 200
27 Sacramento, California 95814

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Payment shall be sent to the following:

Lindsay B. Herrick, Corporations Counsel
Department of Business Oversight
Enforcement Division
1515 K Street, Suite 200
Sacramento, California 95814

Dated: December 10, 2014

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
MARY ANN SMITH
Deputy Commissioner