

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
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Corporations Counsel
4 DEPARTMENT OF CORPORATIONS
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6

7 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

10
11 In the Matter of the Desist and Refrain Order)
12 Issued To:)

13 DIVERSITY CAPITAL INVESTMENTS, INC.,)
14 DIVERSITY CAPITAL DE MEXICO,)
15 DIVERSITY CAPITAL BANCORP DE)
16 MEXICO, AND SOCORRO TERLIZZI,)

17 Respondents.)
18)
19)
20)

STIPULATION TO DESIST AND REFRAIN ORDER

21 IT IS HEREBY STIPULATED AND AGREED between Diversity Capital Investments, Inc.,
22 Diversity Capital de Mexico, Diversity Capital Bancorp de Mexico, and Socorro Terlizzi (hereafter
23 "Respondents") and Preston DuFauchard, California Corporations Commissioner ("Commissioner"),
24 as follows:

25 WHEREAS, Respondents admit the jurisdiction of the California Department of
26 Corporations over their persons and over the subject matter of this Stipulation.

27 WHEREAS, Respondents waive their rights to any reconsideration, appeal, or any other
28 rights which may be afforded pursuant to California Corporations Code sections 25532 and 25609,

1 or any other provision of law in connection with these matters, including but not limited to
2 Government Code sections 11521 and 11523, and any writ proceeding in accordance with the Code
3 of Civil Procedure.

4 WHEREAS, all terms used, but not defined herein, shall have the meaning assigned to them
5 by the California Corporations Code.

6 WHEREAS, Respondents represent that no promises of any kind or nature whatsoever were
7 made to induce Respondents to enter into this Stipulation, and that this Stipulation is a voluntary act
8 on the part of Respondents.

9 WHEREAS, Respondents represent, warrant, and agree that they have received or been
10 advised to seek independent legal advice from their attorneys with respect to the advisability of
11 executing this Stipulation.

12 WHEREAS, Respondents stipulate to the issuance of the Desist and Refrain Order (“Order”),
13 in the form attached hereto as Exhibit A, directing Respondents to desist and refrain from the further
14 offer and sale of securities in the State of California, including but not limited to promissory notes
15 and loan agreements, unless and until qualification has been made under said law or unless exempt.
16 The Order further directs Respondents to desist and refrain from the offer and sale of securities in
17 this state by means of oral and written communications, which misrepresents and omits to state
18 material facts.

19 WHEREAS, Respondents hereby agree and stipulate to the Order.

20 WHEREAS, Respondents hereby understand and agree not to represent that this Stipulation
21 is a settlement or a withdrawal of the Order.

22 WHEREAS, Respondents agree and acknowledge that nothing in this Stipulation shall
23 preclude the Commissioner, his agents, officers, or employees, to the extent authorized by law, from
24 referring any evidence or information regarding this matter to any other state or federal law
25 enforcement official, or from assisting, cooperating, or co-prosecuting with regards to any
26 investigation and/or action.
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WHEREFORE, Respondents Socorro Terlizzi, Diversity Capital Investments, Inc., Diversity Capital de Mexico and Diversity Capital Bancorp de Mexico stipulate and agree to the finality of the Commissioner’s Order. Respondents further understand and agree that the Order remains in effect, is public and that Respondents cannot deny the violations cited in the Commissioner’s Order or make any statement or representation that is inconsistent with this Stipulation or the Order. Respondents further understand and agree this Stipulation does not prevent the Commissioner from taking future action in regard to this matter.

PRESTON DuFAUCHARD,
California Corporations Commissioner

Dated: 8/31/09

By _____
Alan S. Weinger
Deputy Commissioner

Dated: 8/26/09

By _____
Socorro Terlizzi, individually and on behalf of
Diversity Capital Investments, Inc.

Dated: 8/26/09

By _____
Damian Meneses on behalf of Diversity Capital de
Mexico and Diversity Capital Bancorp de Mexico

Approved as to Form

Dated: 8/26/09

By _____
Barry Bernstein, Esq.
Attorney for Damian Meneses

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