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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
10

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12)
13)
14 THE PEOPLE OF THE STATE OF)
CALIFORNIA, by and through the California)
15 Corporations Commissioner,)

16 Plaintiff,

17 v.

18 Andrew Huy Han, d.b.a. Nicholas Asset)
19 Management, Inc., a California Corporation;)
20 and DOES 1 through 10, inclusive,)

21 Defendants.
22

CASE NO.

COMPLAINT IN SUPPORT OF MOTION FOR
STIPULATED PERMANENT INJUNCTION

23 Plaintiff, the People of the State of California, by and through Preston DuFauchard,
24 California Corporations Commissioner (“Plaintiff” or “Commissioner”) allege as follows on
25 information and belief:

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1 agreement for his clients which states, “I/we as Client hereby authorize Andy Han as my Fund
2 Manager Account to buy, sell, and trade stocks, bonds, mutual funds and all other types of securities
3 on cash or margin basis.”

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5 18. Defendants have not obtained the necessary certificate from the Commissioner to
6 effect transactions in securities and is not exempted from such certificate. Unless enjoined,
7 Defendant violated and will continue to violate CSL § 25210.

8 **THEREFORE, THE COMMISSIONER PRAYS THIS COURT:**

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10 1. It is hereby stipulated between Plaintiff, People of the State of California, by and
11 through the California Corporations Commissioner (“Commissioner”), and Defendant, Andrew Huy
12 Han individually and doing business as Nicholas Asset Management, Inc.(“Defendants”) as follows:

13 (A) Defendants attempted to engage and did engage in unlicensed investment adviser activity in
14 violation of California Corporations Code section 25230 and California Corporations Code section
15 25210; (B) Defendants ran advertisements in a Vietnamese language newspapers and on the
16 Internet, offering the investment adviser and broker-dealer services; (C) Defendants attempted to
17 provide and did provide investment adviser services and broker-dealer services for at least 20
18 California residents; (D) Defendants have not obtained the necessary certificate from the
19 Commissioner to engage in investment adviser activity and are not exempted from such certificate
20 which is a violation of California Corporations Code section 25230; (E) Defendants have not
21 obtained the necessary certificate from the Commissioner to effect transactions in securities and are
22 not exempted from such certificate which is a violation of California Corporations Code section
23 25210; (E) Finally, both the Defendants and the Commissioner stipulate to the entry of a permanent
24 injunction enjoining Defendants from any further violations of California Corporations Code
25 sections 25230 and or 25210 by conducting any business as an investment adviser or broker-dealer
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