

DEPARTMENT OF ADMINISTRATION
DIVISION OF BANKING & FINANCIAL INSTITUTIONS



STEVE BULLOCK
GOVERNOR

MELANIE HALL
COMMISSIONER

STATE OF MONTANA

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June 10, 2014

VIP EVEREST
300 Creek View Road
Newark Delaware 19711

CEASE AND DESIST
ORDER

Certified Mail No.
7011 2970 0002 9124 6339

Re: Unlicensed Consumer or Deferred Deposit (Payday) Loan Activity

To VIP EVEREST:

The Montana Division of Banking and Financial Institutions (Division) regulates consumer loan and deferred deposit ("payday") loan activity involving Montana borrowers. It has come to the Division's attention that you have engaged in making such loans to Montanans without a license.

Mont. Code Ann. §§ 31-1-712(2)(2013) and 32-5-103(1),(4) provide that any loan made in violation of law by a person other than a licensee is void and the unlicensed person does not have the right either directly or indirectly to collect, receive, or retain any principal, interest, fees, or other charges. Other remedies available for violations of licensing and other laws and rules governing consumer loan and deferred deposit (payday) loan activity include civil money penalties; restitution of unauthorized fees and other finance charges; reimbursement of department costs of bringing an administrative action; consumers' private right of action for actual, consequential and statutory damages for each violation of the Deferred Deposit ("payday") Loan Act, Orders to cease and desist, and District Court injunctive relief.

Cease and Desist Order

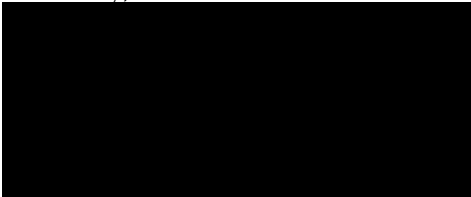
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By authority of Mont. Code. Ann. §§32-5-408 and/or 31-1-728, as applicable, you are hereby ordered to cease and desist from engaging in unlawful consumer and/or deferred deposit (“payday”) lending activities involving Montana residents. You are entitled to an administrative hearing to contest this Cease and Desist Order. To exercise that right you must make a written request for hearing and mail it to the Division at: 301 S. Park Ave. Suite 316, P.O. Box 200546, Helena, MT 59620-0546 within 14 days of the Division’s mailing of this Cease and Desist Order to you on June 10, 2014. An entity must be represented by Montana licensed counsel at the hearing and at all related proceedings pursuant to Admin. R. Mont. 1.3.231. If no hearing is requested in the manner and within the time period stated herein, this Cease and Desist Order shall become final without further prior notice upon expiration of the time period for requesting a hearing.

Thank you for your anticipated cooperation. If you have any questions, please contact me or legal counsel Lorraine Schneider at (406) 841-2920.

Sincerely,



Melanie Hall
Commissioner
Montana Division of Banking and Financial Institutions

MH:ls