## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN THE MATTER OF: COACH FINANCIAL SERVICES INCORPORATED, Its Officers, Directors, Employees, Successors, Agents and Assigns, and GARRY JACOBS, individually.

File No. 0800583

#### **TEMPORARY ORDER OF PROHIBITION**

TO THE RESPONDENT:

Mr. Garry Jacobs, President

Coach Financial Services Incorporated

1124 Prospect Place

Brooklyn, New York 11213

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Brooklyn, New York 11213

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, having been fully advised in the premises by the staff of the Illinois Securities Department, Office of the Secretary of State, herein find:

- 1. That Coach Financial Services Incorporated (Respondent) is an entity not registered as a foreign corporation in the State of Illinois with a business address of 1124 Prospect Place, Brooklyn, New York 11213.
- 2. That Respondent Garry Jacobs, "President" of Coach ("Jacobs") together with Coach "the Respondents") is an individual with a business address of 1124 Prospect Place, Brooklyn, New York 11213.
- 3. That during July and August 2008, Coach, by and through its representatives, and its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, offered to procure a loan for at least one (1) Illinois individual (the "Borrower") in return for an advance fee of Two Thousand Eighty (\$2080.00) Dollars, which was prepaid by the Borrower.
- 4. That the above-referenced business entity, Coach, is a loan broker as that term is defined pursuant to Section 15-5.15. the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (the "Act").

#### Failure to Register

- 5. That Section 15-10 of the Act provides, <u>inter alia</u>, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
- 6. That Section 15-85. of the Act provides, <u>inter alia</u>, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
- 7. That at all times relevant hereto, Coach its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Jacobs, individually have failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer in the State of Illinois.
- 8. That by virtue of the foregoing, Coach, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Jacobs, individually have violated Section 15-10 and/or 15-85(b) of the Act.

### Failure to Respond to Request for Information

- 9. That on July 9, 2009 the Department issued a letter pursuant to Section 15-45 of the Act (the "15-45(a)(2) and (8) Letter"), which informed Respondents that it had come to the Department's attention that Respondents had engaged in the business of Loan Brokering in Illinois. The Department advised the Respondents to file an affidavit setting forth, among other things, in part the following information:
  - 1. Copies of all advertising and promotional literature or other documents related to the brokering of the referenced loan(s) to Illinois residents between [5 years ago] and the present date.
  - 2. A signed statement setting forth the following:
    - a. Statement detailing the manner in which prospective borrowers' names are or were obtained.
    - b. A statement detailing the manner in which prospective borrowers are or were initially contacted.
- 10. That the 15-45(a)(2) and (8) letter sent certified number 7007 3020 0000 4582 4842 was not claimed by Respondents after the United States Postal Service left

notice at 12:07 p.m. on July 13, 2009, and therefore Respondents failed to respond to the query with an affidavit as required.

- 11. That Section 15-85(b)(2) of the Act provides, <u>inter alia</u>, that it shall be a violation for any person to fail to file with the Secretary of State any application, report or document required to be filed under the provisions of the Act or any rule or regulation made by the Secretary of State pursuant to the Act.
- 12. That by virtue of the foregoing, Respondent has violated Section 15-85(b)(2) of the Act.
- 13. That Section 15-55(c) of the Act provides, <u>inter alia</u>, that if the Secretary of State shall find that any person has violated any provision of this Act, the Secretary of State may, by written order temporarily prohibit or suspend such person from acting as a loan broker.
- 14. That Section 15-55(d) of the Act provides, <u>inter alia</u>, that if the Secretary of State shall find any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of the Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in the State.
- 15. That based upon the foregoing, the Secretary of State deems it necessary, in order to prevent imminent and additional violations of the Act, and to prevent losses to investors as a result of the referenced prior violation of the Act, to enter an order pursuant to the authority granted under Section 15-55(c) and Section 15-55(d) of the Act which prohibits Coach Financial Services Incorporated, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Garry Jacobs, individually from acting as a loan broker in the State of Illinois.
- 16. That based upon the credible evidence available to the Secretary of State, the entry of this Temporary Order is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55(c) and Section 15-55(d) of the Act, Coach Financial Services Incorporated, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Garry Jacobs, individually have are hereby PROHIBITED from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondents may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 69 West Washington Street, Suite 1220, Chicago, Illinois 60601. Such request must be made within thirty (30) days of the date of entry of this Temporary Order. Upon receipt of a request for

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hearing, a hearing will be scheduled. A request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for ninety days from the date the hearing request is received by the Department.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS TEMPORARY ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE TEMPORARY ORDER FINAL.

ENTERED: This 17th day of September, 2009.

Besse White JESSE WHITE
Secretary of State

State of Illinois

Attorney for the Secretary of State:

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