

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

IN THE MATTER OF:

**“GE CAPITAL RETAIL BANK”, and
its managers, officers, affiliates, subsidiaries, representatives,
successors, and assigns. There is no affiliation with Synchrony
Bank which was known as GE Capital Retail Bank.**

FILE NO. 14-00257

FINAL ORDER OF PROHIBITION

TO RESPONDENTS:

**“GE CAPITAL RETAIL BANK”
(There is no affiliation with Synchrony
Bank which was known as GE Capital
Retail Bank)**

WHEREAS, a Temporary Order of Prohibition was issued by the Illinois Secretary of State, on December 12, 2014, temporarily prohibiting the Respondents from offering or selling securities in the State of Illinois for a maximum period of ninety (90) days.

WHEREAS, pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5/1 *et. seq.*] (the “Act”), the failure to request a hearing within thirty (30) calendar days of the entry of a Temporary Order of Prohibition shall constitute an admission of any facts alleged therein and constitute a sufficient basis to make the Temporary Order final.

WHEREAS, Respondent GE Capital its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, have failed to request a hearing on the matters contained in the Temporary Order of Prohibition within thirty (30) calendar days of the entry of said Temporary

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Order and the Respondents are hereby deemed to have admitted the facts alleged in the said Temporary Order.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Findings of Fact contained in said Temporary Order as the Secretary of State's Findings of Fact as follows:

1. Respondent GE Capital Retail Bank ("GE Capital") is an unregistered fictitious business entity with no known address. GE Capital fraudulently used the name of Synchrony Bank which was known as GE Capital Retail Bank.
2. In or around June 6, 2014, Respondent GE Capital through its representative, an individual by the name of Brian, last name unknown, offered to procure a loan for at least one Illinois resident, Investor A.
3. To secure the loan, Respondent GE Capital through its representative Brian and supervisor Mark, last name unknown, ordered Investor A to purchase "Green Dot MoneyPaks" from Walgreens totaling approximately \$3,500.00. The prepaid credit card numbers were transferred to Respondent GE Capital via telephone by Investor A.
4. To date, Respondents GE Capital failed to procure the loan and return the prepaid fee to Investor A.
5. The activities set forth above are those of a "loan broker", as those terms are defined in Section 15-5.15(a) of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.], (the "Act").

COUNT I
FRAUD

9. Respondent GE Capital failed to procure the loan for Investor A.
10. Respondent GE Capital failed to return the prepaid fee totaling approximately \$3500.00 to Investor A.
11. Instead of procuring the Loan for Investor A or returning the fee to Investor A, Respondent converted and used the money for its/their own personal use.

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12. Section 15-85(a) of the Act provides, *inter alia*, that it is prohibited by the Act for a loan broker, in connection with a contract for the services of a loan broker, to either directly or indirectly employ any device, scheme or article to defraud, made any untrue statements of material fact, or engage in any act, practice or course of business that operates or would operate as a fraud or deceit upon any person.
13. By virtue of the foregoing, Respondent GE Capital violated Sections 15-85 (a) of the Act.
14. Section 15-55(c) of the Act provided, *inter alia*, that if the Secretary of State shall find that any person has violated any provision of the Act, the Secretary of State may, by written Order, temporarily prohibit or suspend such person from acting as a loan broker.
15. That Section 15-55(e) of the Act provides, *inter alia* "(A)nything herein contained to the contrary notwithstanding, the Secretary of State may temporarily prohibit or suspend, for a maximum period of 90 days, by an order effective immediately, any individual or entity acting as a loan broker or engaging in the business of providing loan brokerage services, without notice and prior hearing, if the Secretary of State shall in his or her opinion, based upon credible evidence, deems it necessary to prevent an imminent violation of this Act or to prevent losses to clients which the Secretary of State reasonably believes will occur as a result of a prior violation of this Act..."

COUNT II
UNREGISTERED LOAN BROKER

16. Respondent GE Capital is not and never have been registered as a loan broker in the State of Illinois.
17. Section 15-10 of the Act provides, *inter alia*, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
18. Respondent GE Capital were not registered with the Secretary of State as a loan broker as required by the Act prior to engaging in the business of loan brokering in the State of Illinois.
19. Section 15-55(d) of the Act provides, *inter alia*, that "if the Secretary of State shall find that 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 this Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in this State".

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20. By virtue of the foregoing, Respondent GE Capital have violated Section 15-10 of the Act.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Conclusions of Law contained in the said Temporary Order as the Secretary of State's Conclusions of Law as follows:

1. Respondent GE Capital its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, violated Sections 15-85 (a) of the Act.
2. Respondent GE Capital its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, violated Section 15-10 of the Act
3. Respondent GE Capital its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns are subject to, pursuant to Section 15-55 (c), 15-55 (d), and 15-55 (e) of the Act, an Order which permanently prohibits them from engaging in the business of loan brokering in or from the State of Illinois.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to Section 15-55 (c), 15-55(d), and 15-55 (e) of the Act, Respondent GE Capital its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns are hereby **PROHIBITED** from engaging in the business of loan brokering in or from the State of Illinois.

NOTICE: Failure to comply with the terms of this Order shall be a violation of the Section 15-85(b)(2) of the Act. Any person or entity who fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of the Order, shall be guilty of a Class 4 Felony.

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This is a final order subject to administrative review pursuant to the Administrative Review Law, {735 ILCS 5/3-101 et seq.} and the Rules and Regulations of the Illinois Securities Act, {14 Ill. Admin. Code Ch. I, Section 130.1123}. Any action for Judicial Review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

Dated this 30th day of January 2015

A handwritten signature in black ink that reads "Jesse White" with a stylized flourish at the end.

JESSE WHITE
Secretary of State
State of Illinois

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