

FILED IN OFFICE
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

11 MAY 26 AM 11:05

TOM LAWLER, CLERK

Department of Banking and Finance,

Plaintiff,

v.

Kondaaur Capital Corporation,

Defendant.

CIVIL ACTION FILE NO.
09-A-11315-10

FINAL
CONSENT ORDER

Plaintiff filed this action pursuant to the authority vested in Plaintiff by the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* based on Defendant's failure to comply with the terms of the Cease and Desist Order by engaging in mortgage lending activities for which a license is required from Plaintiff, including, but not limited to, purchasing two residential mortgage loans. Plaintiff and Defendant have discussed this matter and reached a resolution of all claims in this action and agree to the terms of this Order.

THE PARTIES STIPULATE TO THE FOLLOWING FACTS AND

CONCLUSIONS OF LAW:

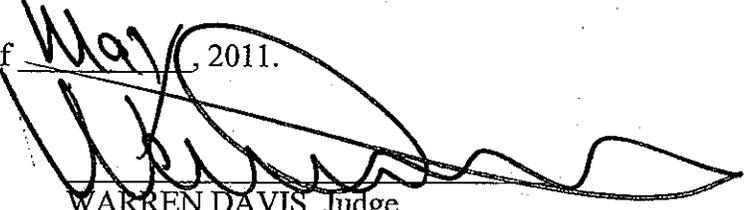
1. On April 9, 2009, Plaintiff issued a Cease and Desist Order to Defendant. The Cease and Desist Order directed the Defendant "to cease and desist from engaging in activities that are in violation of the Georgia Residential Mortgage Act, (GRMA) [O.C.G.A. § 7-1-1000 *et seq.*]." The Cease and Desist Order further directed Defendant to cease operating as a mortgage broker or mortgage lender as Defendant was not licensed by Plaintiff to act as a mortgage broker or mortgage lender and did not satisfy any exemptions from licensure. The Cease and Desist Order became a final Order by operation of law on May 10, 2009.

2. Defendant neither admits nor denies knowingly violating the Cease and Desist Order, the Georgia Residential Mortgage Act, or the rules and regulations of the Department of Banking and Finance.

IT IS HEREBY ORDERED AS FOLLOWS:

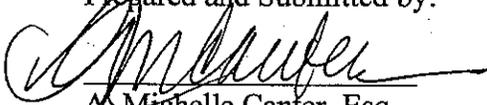
1. Defendant is directed to obey the Cease and Desist Order issued by Plaintiff on May 10, 2009.
2. Defendant is hereby prohibited from operating as an unlicensed Georgia residential mortgage lender or residential mortgage broker.
3. Defendant is hereby prohibited from purchasing or accepting assignment of residential mortgage loans until such time as it may be licensed to do so by Plaintiff.
4. Defendant shall comply fully with the terms of the Cease and Desist Order.
5. The terms of this Final Consent Order may be enforced by filing a motion for contempt in the Superior Court of Gwinnett County or by any other action deemed appropriate by Plaintiff.

SO ORDERED, this 25th day of May, 2011.


WARREN DAVIS, Judge
Gwinnett Superior Court

Prepared and Submitted by:

Consented to by:


A. Michelle Canter, Esq.
Georgia Bar No. 108097
LotsteinLegal PLLC
4720 Peachtree Industrial Blvd., Suite 106
Norcross, Georgia 30071
Telephone: (678) 466-6500
Attorney for Defendant


Oscar B. Fears, III
Georgia Bar No. 257020
Senior Assistant Attorney General
40 Capitol Square, SW
Atlanta, Georgia 30334
Telephone: (404) 656-3303
Attorney for Plaintiff