



Department of Banking and Finance

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Nathan Deal
Governor

Robert M. Braswell
Commissioner

October 25, 2011

Via U.S. Postal Service

Via U.S. Postal Service Certified Mail Receipt: 91 7108 2133 3939 0836 7645

GlobalClear Banx Americas, LLC
3780 Old Norcross Road
Suite 103
Duluth, Georgia 30096

Re: Order to Cease and Desist

To the Owner/Manager:

On September 23, 2011, the Department sent a letter to GlobalClear Banx Americas, LLC directing this entity to cease immediately from 1) operating a banking or banking-related business in any capacity in Georgia; 2) claiming to be affiliated with, associated with, acting as agent for and/or acting with an entity that is operating a banking or banking-related business in any capacity in Georgia; and 3) using "banx" and/or any form similar to and including the word "bank" in its name. The Department required a written response to its letter by October 7, 2011. As of October 25, 2011, the Department has not received a written response from GlobalClear Banx Americas, LLC. Therefore, the Department has issued the enclosed Order to Cease and Desist (Order) effective October 25, 2011.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin B. Hagler".

Kevin B. Hagler
Deputy Commissioner for Supervision
Phone: (770) 986-1646
Fax: (770) 986-1654

Enclosure

cc: Federal Deposit Insurance Corporation
Federal Reserve Board
Georgia Secretary of State
Georgia Office of Attorney General

FINANCIAL INSTITUTION ORDER TO CEASE AND DESIST

The Department of Banking and Finance of the State of Georgia ("Department") has the authority pursuant to the Official Code of Georgia Annotated (O.C.G.A.) Sections 7-1-91(d), 7-1-5, 7-1-241(c) and 7-1-243 to issue a Cease and Desist Order to any financial institution which has violated any law of this state or any order or regulation of the Department, to any financial institution which is conducting business in an unsafe or unauthorized manner, or to any person or corporation conducting business as a financial institution without authority under Chapter 1 of Title 7 of the Official Code of Georgia Annotated.

GlobalClear Banx Americas, LLC is a company located at 3780 Old Norcross Road, Suite 103, Duluth, Georgia 30096 which, according to information obtained by the Department, is operating and/or associated with companies that offer banking and other financial services in Georgia. The Department has no record of GlobalClear Banx Americas, LLC, and the Department has not approved this entity or GlobalClear Holdings, Ltd., Global Clear Bank, Dynast Premier Regency, LLC, GlobalClear Privee, Inc., Premier Capital Depository, Inc., and/or Ben Zayin Yisrael, entities affiliated with GlobalClear Banx Americas, LLC, to conduct and/or be affiliated with a banking business in Georgia. Furthermore, the Department has not granted any of the aforementioned entities permission to use "bank", "banx", or any such derivative in their names or in any other capacity.

The official requirements and procedures for conducting a banking business in Georgia are prescribed in the Financial Institutions Code of Georgia. It is unlawful to conduct and/or be affiliated with a banking business in Georgia without the written approval of the Department. It is also unlawful to use the word "bank" or any such derivative in an entity's name without the permission of the Department.

On September 23, 2011, the Department sent a certified letter to the Owner/Manager of GlobalClear Banx Americas, LLC informing this entity of the Department's concerns regarding its unauthorized activities. GlobalClear Banx Americas, LLC and its affiliates were directed to cease immediately from 1) operating a banking or banking-related business in any capacity in Georgia; 2) claiming to be affiliated with, associated with, acting as agent for and/or acting with an entity that is operating a banking or banking-related business in any capacity in Georgia; and 3) using "banx" and/or any form similar to and including the word "bank" in its name in violation of Georgia Law. GlobalClear Banx Americas, LLC was further directed to provide a written response to the Department by October 7, 2011 stating the specific actions taken to comply with the Department's directive. As of October 25, 2011, the Department has received no response in writing or otherwise from GlobalClear Banx Americas, LLC.

Therefore the Georgia Department of Banking and Finance, pursuant to O.C.G.A. Sections 7-1-91(d), 7-1-5, 7-1-241(c) and 7-1-243, does hereby Order GlobalClear Banx Americas, LLC and its affiliates, its successors and assigns and the officers, employees and directors thereof, to 1) Cease and Desist using the word "banx", "bank", and/or any derivative in their name; 2) Cease and Desist from performing a

banking business and/or claiming to perform a banking business; and 3) Cease and Desist claiming to be affiliated with an entity that is performing or is claiming to perform a banking business in violation of Georgia Law and to take the following actions:

- 1) GlobalClear Banx Americas, LLC and its affiliates shall immediately cease using "Banx", "Bank" or any derivative thereof in their name in any form, including any internet website, marketing material, signage, correspondence, and/or legal documentation that could reach Georgia consumers without the written authorization of the Department pursuant to O.C.G.A. Section 7-1-243.
- 2) GlobalClear Banx Americas, LLC and its affiliates shall immediately cease claiming to be performing a banking business, in any form, including any internet website, marketing material, signage, correspondence, and/or legal documentation that could reach Georgia consumers.
- 3) GlobalClear Banx Americas, LLC and its affiliates shall immediately cease claiming to be affiliated with any entity that performs or claims to perform banking services in any form, including any internet website, marketing material, signage, correspondence, and/or legal documentation that could reach Georgia consumers.
- 4) GlobalClear Banx Americas, LLC and its affiliates shall not provide financial products or services to the citizens of Georgia by any delivery system, including the internet, while using the word "bank" or any derivative thereof without the written authorization of the Department pursuant to O.C.G.A. Section 7-1-241(c).
- 5) GlobalClear Banx Americas, LLC and its affiliates shall immediately return all funds in their entirety, if any, collected from Georgia consumers and provide evidence to the satisfaction of the Department that such funds were returned to Georgia consumers.
- 6) Representatives of GlobalClear Banx Americas, LLC and its affiliates shall respond to the Department by November 14, 2011 indicating the actions taken regarding compliance with the provisions of this Order. The Department may take further legal action through the State Attorney General as authorized by law.

The above provisions are effective on October 25, 2011, the date of issuance of this Order.



Robert M. Braswell, Commissioner
State of Georgia Department of Banking and Finance