



Department of Banking and Finance

2990 Brandywine Road, Suite 200

Atlanta, Georgia 30341-5565

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April 9, 2009

Sonny Perdue
Governor

Robert M. Braswell
Commissioner

VIA CERTIFIED MAIL – 7005 1820 0006 4359 2051

Mr. Andrew Kurtz
Executive Vice President
NAD Acquisition 3, LLC
13500 Evening Creek Drive North
Suite 120
San Diego, CA 92128

CEASE AND DESIST ORDER

Pursuant to the provisions of Section 7-1-1018(a) of the Official Code of Georgia Annotated (O.C.G.A.), the Georgia Department of Banking and Finance (Department) hereby orders **NAD Acquisition 3, LLC**, to cease and desist from engaging in activities which are in violation of the Georgia Residential Mortgage Act (GRMA) [O.C.G.A. § 7-1-1000 et seq].

O.C.G.A. § 7-1-1002 prohibits any person from transacting business as a residential mortgage broker or residential mortgage lender unless licensed or exempted from the licensing requirements. The Department has documentation that **NAD Acquisition 3, LLC** violated O.C.G.A. §7-1-1002(a) by engaging in residential mortgage brokerage/lending activities without a valid license or pursuant to an applicable exemption. The Department has evidence of regulated mortgage activity being conducted by the company pursuant to county court filings. The company does not hold a license to conduct such activity.

This Cease and Desist Order shall be final thirty days from the date of issuance [O.C.G.A. §7-1-1018(a)]. However, within this thirty-day period you may provide the Department with documentation showing that you possess a valid license or qualify for an exemption found in O.C.G.A. § 7-1-1001. If such information is provided, this Cease and Desist Order shall be rescinded. If you have any questions, please contact Melinda G. Kinard, Director of Money Service Businesses & Mortgage Licensing, at (770) 986-1649.

By: _____

A handwritten signature in black ink, appearing to read "Rod Carnes", is written over a horizontal line.

Rod Carnes, CFE
Deputy Commissioner
Non-Depository Financial Institutions Division