

BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
OFFICE OF THE STATE AUDITOR
STATE OF MONTANA

IN THE MATTER OF)	CASE NO. 03-16-09-284 I
)	
)	
WEXL FINANCIAL)	
251 River Park Drive, Suite 200)	CONSENT AGREEMENT and
Provo, UT 84604,)	ORDER
)	
Respondent.)	

This Consent Agreement dated this 13th day of ~~August~~ ^{September}, 2010 is between the Montana Securities Department (Department), acting pursuant to the authority of the Securities Act of Montana, Mont. Code Ann. § 30-10-101 *et seq.* (the "Act") and WeXL Financial (WeXL).

RECITALS

WHEREAS, the Department initiated this case alleging violations of the Act by Respondent, by promoting and operating an illegal pyramid promotional scheme from sometime prior to August 2008 until August 2009.

WHEREAS, the Department has engaged in extensive investigation of the allegations contained within the case.

WHEREAS, the Department and Respondent have agreed that the best interests of the public would be served by entering into the agreements and undertakings specified herein.

NOW THEREFORE, in consideration of the mutual undertakings herein contained, the Department and WeXL hereby agree to resolve their differences and settle this matter pursuant to the following terms and conditions:

SUMMARY OF ALLEGATIONS

The allegations against WeXI indicate that Respondents and its agents or employees promoted and operated an illegal pyramid promotional scheme in Montana in violation of the Act.

STIPULATIONS AND CONSENTS

The parties jointly and mutually consent and agree as follows:

A. Without admitting or denying any of the allegations, Respondent stipulates and consents to the following:

1. To accept a permanent cease and desist order requiring WeXL to permanently refrain from promoting and/or operating a pyramid promotional scheme in Montana.

2. To comply with the terms and conditions of this Consent Agreement and with the securities laws and regulations of Montana.

3. Respondent understands that the Consent Agreement is part of the Department's files, and is, therefore, a public record.

4. Respondent fully and forever release and discharges the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI) and all CSI employees from any and all actions, claims, causes of action, demands, or expenses for damages or injuries that may arise from the allegations underlying this Agreement, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the Action.

5. Respondent understands that the applicable statute of limitation pursuant to Mont. Code Ann. § 30-10-305 is tolled for one year from the date of execution of this Consent Agreement with regard to the allegations set forth above. In the event Respondent violates the

terms of this Consent Agreement at any time during the one-year tolling period, the Department reserves the right to seek fines up to \$50,000 from Respondent.

B. Based on the foregoing consents and stipulations by Respondent, the Department agrees as follows:


The CSI, pursuant to authority of the Securities Act of Montana and the applicable statutes found in the Montana Administrative Procedures Act, agrees that if the terms and conditions of this Consent Agreement are fully met, the CSI will not initiate any civil, administrative or other judicial proceeding against Respondent regarding the allegations contained in this case. Additionally, pursuant to authority of the Securities Act of Montana and the applicable statutes found in the Montana Administrative Procedures Act, the CSI agrees that if the terms and conditions of this Consent Agreement are fully met, the CSI will not refer this case for criminal prosecution regarding the allegations contained in this case.

C. All parties to this Consent Agreement agree and acknowledge:

1. This Consent Agreement constitutes the entire agreement between the parties, there being no other promises or agreements, either express or implied.
2. The Department and Respondent agree that this Consent Agreement shall be incorporated and made a part of the attached Final Order issued by the Commissioner herein.

DATED this 13th day of ~~August~~^{September}, 2010.


MONTANA SECURITIES DEPARTMENT



ROBERTA CROSS GUNS
Attorney for the Securities Department

DATED this 9th ^{September} day of ~~August~~, 2010.

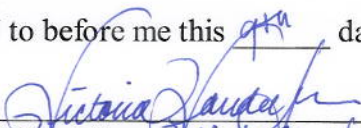
WeXL Financial

By: 
Title: President

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

SUBSCRIBED AND SWORN to before me this 9th ^{September} day of ~~August~~, 2010.



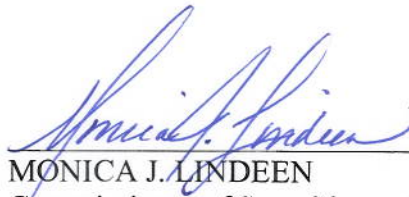

Printed Name: Victoria Vander Hoeven
Notary Public for the State of: Utah
Residing at: Provo, UT
My commission expires: 3-31-12

ORDER

Pursuant to the authority vested by the Montana Securities Act, Mont. Code Ann. § 30-10-101, *et seq.*, and upon review of the forgoing Consent Agreement and there appearing to be good cause, and for the purpose of settling this matter prior to a hearing, the Commissioner orders Respondent to permanently cease and desist actions consistent with promoting and/or operating an illegal pyramid promotional scheme in Montana.

IT IS ORDERED that the foregoing Consent Agreement between the Securities Department and WeXL Financial is hereby adopted as if set forth fully herein.

Dated this 14th day of ^{Sept.}~~August~~, 2010.



MONICA J. LINDEEN
Commissioner of Securities and Insurance
Montana State Auditor

Copies to: Roberta Cross Guns
Cory Weaver