

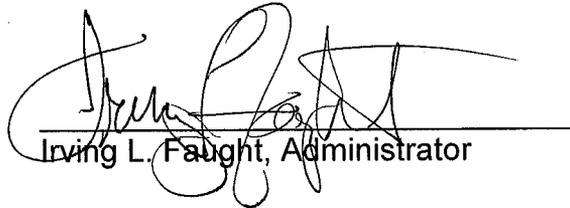


5. That this Affidavit is declared filed of record as of the date set forth below in compliance with Section 818 of the Act.

FURTHER AFFIANT SAYETH NOT.

Dated this 6th day of April, 2007.

(SEAL)

  
Irving L. Faught, Administrator

Subscribed and sworn to before me this 6th day of April, 2007.

(NOTARY SEAL)

  
Brenda London  
Notary Public

 BREDA LONDON  
Notary Public  
State of Oklahoma  
Commission # 05009046 Expires 09/28/09

STATE OF OKLAHOMA  
DEPARTMENT OF SECURITIES  
FIRST NATIONAL CENTER, SUITE 860  
120 NORTH ROBINSON  
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

YOUR CHOICE™ and Jeff A. Richards,

Respondents.

ODS File No. 07-005

**NOTICE OF OPPORTUNITY FOR HEARING**

1. Pursuant to Section 813 of the Oklahoma Business Opportunity Sales Act (Act), Okla. Stat. tit. 71, §§ 801-829 (2001), the Oklahoma Department of Securities (Department) conducted an investigation into the activities of YOUR CHOICE™ (YOUR CHOICE) and Jeff A. Richards (Richards) , in connection with the offer, sale, and/or purchase of business opportunities in and/or from the state of Oklahoma.

2. On the 3rd day of April, 2007, the attached Enforcement Division Recommendation (Recommendation) was left in the office of the Administrator.

3. Pursuant to Section 814.B of the Act, the Administrator hereby gives notice to Respondents of their right to request a hearing to show why an order based on the Recommendation should not be issued.

4. The request for a hearing on the Recommendation must be received by the Administrator within fifteen (15) days after service of this Notice. Pursuant to Section 814.B of the Act, failure to request a hearing as provided for herein shall result in the issuance of an order against YOUR CHOICE and Richards to cease and desist from the offer and sale of business opportunities in violation of Section 806 of the Act.

5. The request for hearing shall be in writing and Respondents shall specifically admit or deny each allegation made in the Recommendation as required by 660:2-9-1(c) of the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities (Rules).

6. Upon receipt of a written request, pursuant to 660:2-9-2 of the Rules, a hearing on this Notice shall be set within sixty (60) days or a written order denying hearing shall be issued.

7. Notice of the date, time, and location of the hearing shall be given to Respondents not less than ten (10) days in advance thereof pursuant to 660:2-9-3(a) of the Rules. Additionally, the notice may contain matters to supplement this Notice and the Recommendation attached hereto.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 6th day of April, 2007.

(SEAL)



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IRVING L. FAUGHT, ADMINISTRATOR OF THE  
OKLAHOMA DEPARTMENT OF SECURITIES

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 6th day of April, 2007, a true and correct copy of the above and foregoing Notice of Opportunity for Hearing and attached Enforcement Division Recommendation was mailed by certified mail, return receipt requested, delivery restricted, with postage prepaid thereon, addressed to:

Jeff Richards  
699 N. Dixie Freeway #106  
New Smyrna Beach, FL 32168

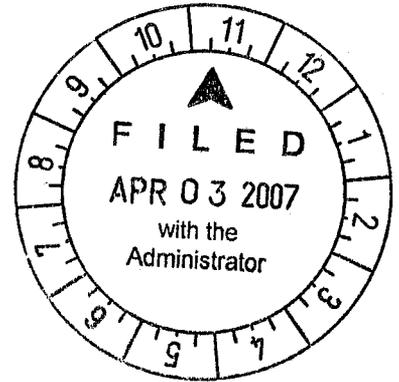
YOUR CHOICE™  
699 N. Dixie Freeway, #106  
New Smyrna Beach, FL 32168



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Brenda London  
Paralegal

STATE OF OKLAHOMA  
DEPARTMENT OF SECURITIES  
THE FIRST NATIONAL CENTER, SUITE 860  
120 NORTH ROBINSON  
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

YOUR CHOICE™ and Jeff A. Richards,

Respondents.

ODS File No. 07-005

**ENFORCEMENT DIVISION RECOMMENDATION**

Pursuant to the Oklahoma Business Opportunity Sales Act (Act), Okla. Stat. tit. 71, §§ 801-829 (2001), an investigation was conducted into the activities of YOUR CHOICE™ (YOUR CHOICE) and Jeff A. Richards (Richards), in connection with the offer and/or sale of a business opportunity in and/or from the state of Oklahoma. Based thereon, the following Findings of Fact, Authorities and Conclusions of Law are submitted to the Administrator, or his designee, in support of the issuance of an order to cease and desist against YOUR CHOICE and Richards.

**Findings of Fact**

1. YOUR CHOICE is a company that, at all times relevant hereto, was located in New Smyrna Beach, Florida. YOUR CHOICE represents that it is in the business of selling coupon book distributorships.
2. Richards is co-founder and chief executive officer of YOUR CHOICE.
3. On or about August, 2005, M. Blessum (Blessum), an Oklahoma resident, received correspondence from YOUR CHOICE seeking distributors to operate a home based business. The correspondence stated that distributors could make "\$4,000 + MONTHLY" by selling YOUR CHOICE coupon books. The purchase of the distributorship required a deposit of \$49.95 for a distributor's kit that would be fully refundable upon the purchase of marketing supplies and coupon books.

4. On or about August 4, 2005, Blessum ordered the distributor kit by mailing a check to YOUR CHOICE. After ordering the distributor kit, Blessum telephoned YOUR CHOICE and spoke with Richards. Richards assured Blessum that the coupon books could easily be sold from her home at the retail value of \$39.95 per book and that Blessum would make a profit from the sales of the coupon books. He further told her that YOUR CHOICE would provide marketing materials to assist Blessum in the sale of the coupon books. Richards offered to sell Blessum 700 coupon books for \$1,599.

5. On or about October, 2005, Blessum received the YOUR CHOICE coupon books. Due to their delayed delivery, Richards agreed to reduce the purchase price by \$200. On October 7, 2005, Blessum paid for the coupon books by mailing a check to YOUR CHOICE in the amount of \$1,399.

### Authorities

1. Section 802 of the Act provides in pertinent part:

\* \* \*

3.a. "*Business opportunity*" means a contract or agreement, between a seller and purchaser, express or implied, orally or in writing, wherein it is agreed that the seller or a person recommended by the seller shall provide to the purchaser any products, equipment, supplies or services enabling the purchaser to start a business and the seller represents directly or indirectly, orally or in writing, that:

\* \* \*

(4) The seller guarantees that the purchaser will derive income from the business which exceeds the price paid to the seller; or

\* \* \*

(6) The seller will provide a marketing plan.

\* \* \*

6. "*Marketing plan*" means advice or training, provided to the purchaser by the seller or a person recommended by the seller, pertaining to the sale of any products, equipment,

supplies or services and the advice or training includes, but is not limited to, preparing or providing:

a. Promotional literature, brochures, pamphlets or advertising materials[.]

7. "Offer" or "offer to sell" includes every attempt to dispose of a business opportunity for value or solicitation of an offer to purchase a business opportunity.

\* \* \*

11. "Sale" or "sell" includes every contract or agreement of sale, contract to sell, disposition of a business opportunity or interest in a business opportunity for value.

2. Section 806 of the Act provides:

It is unlawful for any person to offer or sell any business opportunity, as defined in Section 802 of this title, in this state unless the business opportunity is registered under the provisions of the Oklahoma Business Opportunity Sales Act or is exempt under Section 803 of this title.

4. Section 814 of the Act provides in pertinent part:

A. Whenever it appears to the Administrator that any person has engaged in or is about to engage in any act or practice constituting a violation of any provision of the Oklahoma Business Opportunity Sales Act or any rule or order hereunder, the Administrator may:

1. Issue an order directing each person to cease and desist from continuing the act or practice and/or issue an order imposing a civil penalty up to a maximum of Five Thousand Dollars (\$5,000.00) for a single violation or transaction or of Fifty Thousand Dollars (\$50,000.00) for multiple violations or transactions in a single proceeding or a series of related proceedings[.]

5. Section 818 of the Act provides in pertinent part:

A. The provisions of the Oklahoma Business Opportunity Sales Act concerning sales and offers to sell apply to persons who sell or offer to sell when:

1. An offer to sell is made in this state;
2. An offer to purchase is made and accepted in this state; or
3. The purchaser is domiciled in this state and the business opportunity is or will be operated in this state.

B. For the purpose of this section, an offer to sell is made in this state, whether or not either party is then present in this state, when:

1. The offer originates from this state; or
2. The offer is directed by the offeror to this state and received at the place to which it is directed or at any post office in this state in the case of a mailed offer.

C. For the purpose of this section, an offer to sell is accepted in this state when acceptance:

1. Is communicated to the offeror in this state; and
2. Has not previously been communicated to the offeror, orally or in writing, outside this state; and acceptance is communicated to the offeror in this state, whether or not either party is then present in this state when the offeree directs it to the offeror in this state reasonably believing the offeror to be in this state and it is received at the place to which it is directed or at any post office in this state in the case of a mailed acceptance.

**Conclusions of Law**

1. The distributorship agreement offered and sold by YOUR CHOICE and Richards is a business opportunity.

2. YOUR CHOICE and Richards offered and sold a business opportunity in the state of Oklahoma.

3. The offer and sale of the business opportunity by YOUR CHOICE and Richards without registration of the business opportunity under the Act is a violation of Section 806 of the Act.

WHEREFORE, it is recommended that the Administrator issue an order against YOUR CHOICE and Richards to cease and desist the offer and sale of business opportunities in and/or from this state in violation of Section 806 of the Act.

Dated this 3rd day of April, 2007.

Respectfully Submitted,



Rebecca A. Cryer  
Enforcement Attorney  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, OK 73102