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**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE  
OF THE STATE OF IDAHO**

STATE OF IDAHO, Department of	)	
Finance, Securities Bureau,	)	Docket No. 2002-7-07
	)	
Complainant,	)	<b>CEASE AND DESIST ORDER</b>
	)	
vs.	)	
	)	
Starcash, Inc., a Florida corporation;	)	
Infinity Services, Inc., a Florida corporation;	)	
John Ackersly, Jeanne LeClercq and	)	
their agents and representatives,	)	
	)	
Respondents.	)	
	)	

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The Director of the Department of Finance, pursuant to the authority of the Idaho Securities Act, Idaho Code § 30-1401, *et seq.*, (the Act) has reasonable grounds to believe that violations of the Act have occurred, and may continue to occur, as follows:

**FACTS**

1. Respondent Starcash, Inc. (hereafter "Starcash"), is a Florida corporation conducting business from 6555 NW 9<sup>th</sup> Avenue, Suite 204, Fort Lauderdale, Florida. Starcash is also known to have operations at 5355 Town Center Road in Boca Raton, Florida and from 6278 North

Federal Highway, Suite 432, Fort Lauderdale, Florida. Starcash is purportedly engaged in the business of making “payday loans” and in raising capital to fund said payday loans.

2. Respondent Infinity Services, Inc. (hereafter “Infinity”) is a Florida corporation that is affiliated with Starcash, Inc. Infinity assists Starcash in the raising of capital from individual investors to fund Starcash’s payday loan operations.

3. Respondent Jeanne LeClercq is president and “CEO” of Starcash. She has also been represented as a control person of Infiniti Services, Inc.

4. Beginning on a date uncertain, but at least since early March 2002, at least one representative of Infinity, Respondent John Ackersly (Ackersly), under the direction and control of Infinity, Starcash and LeClercq, offered investment interests in Starcash accounts receivable to individual investors located in the State of Idaho.

5. Respondents offered investors in Starcash receivables “a total of thirty percent (30%) for twelve (12) months” (reflecting 2.5% simple interest for twelve months on their invested capital). Respondents also offered Idaho investors the option to “accrue interest and receive a one-time, end-of-contract fee payment equaling thirty-five percent (35%)” of their investment plus a return of their invested capital.

6. The investment interests offered and/or sold by Respondents in Idaho are securities within the meaning of Idaho Code § 30-1402(12).

### **COUNT ONE: FAILURE TO REGISTER SECURITIES**

7. Paragraphs 1 through 6 set forth above are fully incorporated herein by this reference.

8. Beginning on a date uncertain, but at least since March 2002, the Respondents offered or sold, either directly or indirectly, or aided and abetted in the offer or sale, to Idaho residents,

through advertisements and oral solicitations, securities within the meaning of Idaho Code § 30-1402(12).

9. The securities offered by the defendants were not registered with the Department as required by Idaho Code § 30-1416.

10. The Respondents have violated Idaho Code § 30-1416.

**COUNT TWO: VIOLATIONS OF THE ANTI-FRAUD  
PROVISIONS OF THE ACT -- OMISSIONS**

11. Paragraphs 1 through 10 set forth above are fully incorporated herein by this reference.

12. In connection with the offer and sale of the investment interests, the Respondents or their employees or agents, omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, in violation of the antifraud provisions of the Act. The omissions of Respondents include, but are not limited to, the following:

- a) Respondents failed to inform offerees and/or investors of a securities related Cease and Desist Order issued by the State of Washington on January 24, 2002;
- b) Respondents failed to inform offerees and/or investors of a securities related Cease and Desist Order issued by the State of Iowa on March 4, 2002;
- c) Respondents failed to inform offerees and/or investors of a securities related Cease and Desist Order issued by the State of Pennsylvania during January 2002;

- d) Respondents failed to inform offerees and/or investors of a securities related cessation order issued by the Saskatchewan Securities Commission on February 5, 2002; and
- e) Respondents failed to disclose the nature and types of compensation to be paid to the company and the salespersons associated with each transaction.

13. Respondents failed to provide disclosures regarding Starcash and its payday lending business. Said non-disclosures include, but are not limited to:

- a) failing to disclose the financial condition and operating history of Starcash.
- b) failing to disclose Starcash's history of raising and investing funds in their payday lending business.

14. Respondents have violated, or have aided and abetted in the violation of Idaho Code § 30-1403(2).

**COUNT THREE: VIOLATIONS OF THE ANTI-FRAUD PROVISIONS OF THE ACT -- MISREPRESENTATIONS**

15. Paragraphs 1 through 14 set forth above are fully incorporated herein by this reference.

16. In connection with the offer or sale of securities, Respondents misrepresented material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading in violation of the antifraud provisions of the Idaho Securities Act. The misrepresentations of Respondents include, but are not limited to, the following:

- a) Respondents represented that the default rate of payday loan customers and/or the payday loan industry was approximately 2.5%.

17. Respondents have violated, or have aided and abetted in the violation of Idaho Code § 30-1403(2).

**CEASE AND DESIST ORDER**

**NOW, THEREFORE, PURSUANT TO IDAHO CODE § 30-1442(2), IT IS HEREBY ORDERED THAT RESPONDENTS, THEIR AGENTS AND EMPLOYEES IMMEDIATELY CEASE AND DESIST FROM:**

A. Selling or offering to sell any nonexempt securities in any form in the State of Idaho until such time as the securities have been registered with the Department of Finance in accordance with Title 30, Chapter 14, Idaho Code.

B. While engaged in or in connection with the offer, or sale, of any security in the state of Idaho:

- (1) Employing any device, scheme or artifice to defraud any purchasers of securities in Idaho;
- (2) Making any untrue statement of material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading;
- (3) Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

C. Aiding, abetting, counseling, inducing, or causing any person to engage in any of the types of conduct described in paragraph A or B, above.

18. YOU ARE NOTIFIED that this Cease and Desist Order is a final order of the Department of Finance. However, you may file a motion for reconsideration of this Cease and

Desist Order or a request for hearing within fourteen (14) days of the service of this order. The Department will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. Idaho Code § 67-5246(4). Any such motion for reconsideration or request for hearing must be in writing, addressed to:

Marilyn T. Chastain  
Securities Bureau Chief  
Department of Finance  
P.O. Box 83720  
Boise, ID 83720-0031

19. If a motion for reconsideration or request for hearing is timely filed, you will be notified of the date, time, and place of the hearing, as well as the name of the presiding officer. At the hearing you will be entitled to enter an appearance, introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceedings. If you desire, you may also be represented by legal counsel at your own expense.

20. Any hearing and subsequent proceeding will be conducted in accordance with the Idaho Administrative Procedure Act (Chapter 52, Title 67, Idaho Code).

21. Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal it to district court by filing a petition in the district court of the county in which:

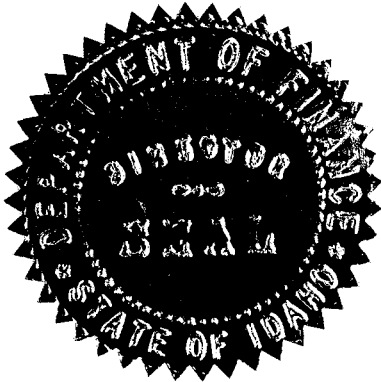
- a. a hearing was held;
- b. the final agency action was taken;
- c. the party seeking review of the order resides, or
- d. where the real property or personal property that was the subject of the agency action is located.

22. An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying a petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

23. The foregoing Cease and Desist Order is necessary and appropriate, in the public interest, and for the protection of the public.

**IT IS SO ORDERED.**

DATED this 28<sup>th</sup> day of March, 2002.



A handwritten signature in black ink, appearing to read "Gavin M. Gee", is written over a horizontal line.

GAVIN M. GEE, Director  
Idaho Department of Finance

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of March, 2002, I caused a true and correct copy of the foregoing CEASE AND DESIST ORDER to be served on the following by the designated means:

Starcash, Inc.  
5355 Town Center Rd., Suite 102  
Boca Raton, FL 33486

U.S. mail, postage prepaid  
 certified mail  
 overnight mail  
 hand delivery

Jeanne LeClercq  
Starcash, Inc.  
6555 NW 9<sup>th</sup> Ave., Suite 204  
Fort Lauderdale, FL 33309

U.S. mail, postage prepaid  
 certified mail  
 overnight mail  
 hand delivery

Infinity Services, Inc.  
6555 NW 9<sup>th</sup> Ave., Suite 204  
Fort Lauderdale, FL 33309


U.S. mail, postage prepaid  
 certified mail  
 overnight mail  
 hand delivery

John Ackersly  
Starcash, Inc.  
6278 North Federal Highway, Suite 432  
Fort Lauderdale, FL 33308

U.S. mail, postage prepaid  
 certified mail  
 overnight mail  
 hand delivery

Kenneth J. Dunn, Esq.  
Registered Agent  
Starcash, Inc. & Infinity Services, Inc.  
11575 Heron Bay Blvd., Suite 309  
Coral Springs, FL 33076

U.S. mail, postage prepaid  
 certified mail  
 overnight mail  
 hand delivery

  
Neta I. Nichols



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

INFINITY SERVICES INC  
 6555 NW 9<sup>TH</sup> AVE SUITE 204  
 FORT LAUDERDALE FL 33309

2. Article Number (Copy from service label)

*NIN*  
 7099 3220 0009 1966 4245

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JOHN ACKERSLY  
 STARCASH, INC.  
 6278 N FEDERAL HWY SUITE 432  
 FORT LAUDERDALE FL 33308

2. Article Number (Copy from service label)

*NIN*  
 7099 3220 0009 1966 4252

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

STARCASH, INC.  
 5355 TOWN CENTER RD SUITE 102  
 BOCA RATON FL 33486

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
 X  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

*NIN*  
7099 3220 0009 1966 4221

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JEANNE LECLERCQ  
 STARCASH INC  
 6555 NW 9<sup>TH</sup> AVE SUITE 294  
 FORT LAUDERDALE FL 33309

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
 X *Jeanne Leclercq*  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

*NIN*  
7099 3220 0009 1966 4238

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952