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**STATE OF CALIFORNIA**  
**BUSINESS, TRANSPORTATION AND HOUSING AGENCY**  
**DEPARTMENT OF CORPORATIONS**

**TO:** Escrowtime.net  
Robert A. Smith, General Manager  
Scott Amos  
1435 East Romley Road  
Phoenix, AZ 85040

**DESIST AND REFRAIN ORDER**  
**(For violations of sections 17200, 17210.2 and 17403 of the California Financial Code)**

The California Corporations Commissioner finds that:

1. Escrowtime.net, Robert A. Smith, General Manager and Scott Amos have engaged in the business of an escrow agent by advertising escrow services over the Internet at [www.escrowtime.net](http://www.escrowtime.net) from 2003 to the present as follows:

a) Escrowtime.net represents on its website that the process works as follows: The buyer and seller agree to the terms of the transaction. The buyer pays Escrowtime.net, which verifies the payment. Escrowtime.net notifies the seller to ship its merchandise and then verifies that the buyer receives the shipment. The buyer accepts the goods. Escrowtime.net then pays the seller and the transaction is complete.

b) Escrowtime.net, Robert A. Smith, General Manager and Scott Amos represent on the Escrowtime.net website that their process protects both the buyer and the seller from fraud.

c) Escrowtime.net, Robert A. Smith, General Manager and Scott Amos have represented themselves to be licensed escrow agents by advertising that the company holds

1 Department of Corporations escrow agents' license number 963-2030. In fact, the Department of  
2 Corporations issued escrow license number 963-2030 to Escrow Time, Inc., in Los Angeles,  
3 California, on October 15, 2003. Escrowtime.net is not a website of Escrow Time, Inc.

4 d) Escrowtime.net, Robert A. Smith, General Manager and Scott Amos have  
5 represented that Escrowtime.net is affiliated with Internet Escrow Services (IES). In fact, IES is an  
6 affiliate of Escrow.com and Escrowtime.net is not affiliated with either IES or Escrow.com.

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8 2. Neither Escrowtime.net, Robert A. Smith, General Manager nor Scott Amos has been  
9 issued a license from the Commissioner authorizing them to conduct business as an escrow agent, as  
10 required by California Financial Code section 17200.

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12 3. Neither Escrowtime.net, Robert A. Smith, General Manager nor Scott Amos is exempt  
13 from the licensing requirements of Section 17200.

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15 4. Neither Escrowtime.net, Robert A. Smith, General Manager nor Scott Amos has been  
16 issued a license from the Commissioner authorizing them to use words indicating that they are in the  
17 escrow business, as required by California Financial Code section 17403.

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19 5. Escrowtime.net, Robert A. Smith, General Manager and Scott Amos have disseminated or  
20 caused to be disseminated false, misleading and/or deceptive statements or representations which  
21 refer to Escrowtime.net's affiliation with IES, when, in fact, Escrowtime.net is not affiliated with IES  
22 or Escrow.com.

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24 Based upon the foregoing findings, the California Corporations Commissioner is of the opinion that  
25 Escrowtime.net, Robert A. Smith, General Manager and Scott Amos, and their officers, directors,  
26 partners, agents, employees and/or servants are in violation of California Financial Code sections  
27 17200, 17210.2(a) and 17403(a). Pursuant to California Financial Code section 17416,  
28 Escrowtime.net, Robert A. Smith, General Manager and Scott Amos are hereby ordered to desist and

1 refrain from engaging in the business of receiving escrows for deposit or delivery without first  
2 obtaining a license from the Commissioner. Pursuant to California Financial Code section 17403(b),  
3 Escrowtime.net, Robert A. Smith, General Manager and Scott Amos are further ordered to  
4 immediately desist and refrain from issuing, circulating, or publishing any advertisement by means of  
5 any communication, including any website, or making use of or circulating any letterheads, billheads,  
6 blank notes, blank receipts, blank escrow instructions, certificates, circulars, or any written or printed  
7 paper containing any fictitious or corporate name or other words indicating that they are in the  
8 escrow business. Pursuant to California Financial Code section 17210.2(c), Escrowtime.net, Robert  
9 A. Smith, General Manager and Scott Amos are further ordered to immediately desist and refrain  
10 from disseminating, or causing or permitting to be disseminated, in any manner whatsoever, any  
11 statement or representation which is false, misleading, or deceptive, or which omits to state material  
12 information, or which refers to the supervision of that agent by the State of California or any  
13 department or official thereof. Escrowtime.net, Robert A. Smith, General Manager and Scott Amos  
14 are further ordered to immediately desist and refrain from disseminating or causing or permitting to  
15 be disseminated, in any manner whatsoever, any statement or representation that Escrowtime.net is in  
16 any manner associated with IES.

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18 This Order is necessary, in the public interest, for the protection of investors and consistent with the  
19 purposes, policies and provisions of the California Escrow Law. This order shall remain in full force  
20 and effect until further order of the California Corporations Commissioner.

21 Dated: April 19, 2005  
22 Sacramento, California

23 WAYNE STRUMPFER  
24 Acting California Corporations Commissioner

25  
26 By: \_\_\_\_\_  
27 ALAN WEINGER  
28 Acting Deputy Commissioner  
Enforcement Division