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

**TO:** Moniker Online Services, LLC  
Moniker.com  
20 SW 27<sup>th</sup> Avenue, Suite 201  
Pompano Beach, FL 33069

Monte Cahn, CEO  
Moniker Online Services, LLC  
20 SW 27<sup>th</sup> Avenue, Suite 201  
Pompano Beach, FL 33069

Eric Harrington, President  
Moniker Online Services, LLC  
20 SW 27<sup>th</sup> Avenue, Suite 201  
Pompano Beach, FL 33069

Joel Magolnick, Vice President and  
Registered Agent  
1111 Brickell Avenue, Suite 2050  
Miami, FL 33131

20 SW 27<sup>th</sup> Avenue, Suite 201  
Pompano Beach, FL 33069

**DESIST AND REFRAIN ORDER**

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

The California Corporations Commissioner (“Commissioner”) finds that:

1. Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington and Joel Magolnick have engaged in business as escrow agents by advertising escrow services over the Internet at [www.moniker.com](http://www.moniker.com) in connection with helping their customers buy and sell domain names from 2005 to the present as follows:

1 a) Moniker.com represents on its website that the process works as follows: The  
2 buyer and seller agree to the terms of the transaction. The buyer submits a payment to  
3 Moniker.com, which verifies the payment. Once the funds have been received in the escrow account,  
4 the domain changes ownership and Moniker.com releases the funds to the seller.

5 b) Moniker Online Services, LLC claims to protect both the buyer and the seller from  
6 fraud with this process.

7 2. Neither Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington nor  
8 Joel Magolnick have been issued a license from the Commissioner authorizing any of them to  
9 conduct business as an escrow agent, as required by California Financial Code section 17200.

10 3. Neither Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington nor  
11 Joel Magolnick is exempt from the licensing requirements of Section 17200.

12 4. Neither Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington nor Joel  
13 Magolnick have been issued a license from the Commissioner authorizing any of them to use words  
14 indicating that they are in the escrow business, as required by California Financial Code section  
15 17403.

16 5. Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington and Joel  
17 Magolnick have disseminated or caused to be disseminated false, misleading and/or deceptive  
18 statements or representations indicating that they are authorized to conduct escrow business within  
19 the State of California.

20 Based upon the foregoing findings, the California Corporations Commissioner is of the  
21 opinion that Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington and Joel  
22 Magolnick, and their officers, directors, partners, agents, employees and/or servants are in violation  
23 of California Financial Code sections 17200 and 17403(a). Pursuant to California Financial Code  
24 section 17416, Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric Harrington and Joel  
25 Magolnick are hereby ordered to desist and refrain from engaging in the business of receiving  
26 escrows for deposit or delivery without first obtaining a license from the Commissioner. Pursuant to  
27 California Financial Code section 17403(b), Moniker Online Services, LLC, Moniker.com, Monte  
28 Cahn, Eric Harrington and Joel Magolnick are further ordered to immediately desist and refrain from

1 issuing, circulating, or publishing any advertisement by means of any communication, including any  
2 website, or making use of or circulating any letterheads, billheads, blank notes, blank receipts, blank  
3 escrow instructions, certificates, circulars, or any written or printed paper containing any fictitious or  
4 corporate name or other words indicating that it is in the escrow business. Pursuant to California  
5 Financial Code section 17210.2(c), Moniker Online Services, LLC, Moniker.com, Monte Cahn, Eric  
6 Harrington and Joel Magolnick are further ordered to immediately desist and refrain from  
7 disseminating, or causing or permitting to be disseminated, in any manner whatsoever, any statement  
8 or representation which is false, misleading, or deceptive, or which omits to state material  
9 information.

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

13 Dated: November 16, 2007  
14 Sacramento, California

15 PRESTON DuFAUCHARD  
16 California Corporations Commissioner

17  
18 By: \_\_\_\_\_  
19 ALAN S. WEINGER  
20 Lead Corporations Counsel  
21 Enforcement Division  
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