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Las Vegas, Nevada 89121  
(702) 486-4120

**STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION**

1179 Fairview Drive, Ste 201  
Carson City, Nevada 89701  
(775) 687-5522

In Re:

LAW OFFICES OF W.C. FRENCH,  
Respondent.

**ORDER TO CEASE AND DESIST  
UNLICENSED ACTIVITIES**

**ORDER TO CEASE AND DESIST  
UNLICENSED ACTIVITIES**

Nevada, Department of Business and Industry, Financial Institutions Division (hereinafter "Division") hereby orders the LAW OFFICES OF W.C. FRENCH, (hereafter "Respondent") to cease and desist from any and all activities which are covered under Nevada Revised Statutes (NRS) Chapter 649.

**JURISDICTION**

1. The business of collecting claims for others or of soliciting the right to collect or receive payment for another of any claim in the State of Nevada is governed by chapter 649 of the Nevada Revised Statutes (NRS) and chapter 649 of the Nevada Administrative Code (NAC). The State of Nevada, Department of Business and Industry, Financial Institutions Division (hereinafter "Division") has primary jurisdiction for the licensing and regulation of persons operating and/or engaging in collection services. NRS 649.026.

2. Pursuant to the authority vested by NRS Chapter 649, the Division hereby makes the following Findings of Fact, Conclusions of Law, and Order.

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1 **FINDINGS OF FACT**

2 3. Respondent the LAW OFFICES OF W.C. FRENCH is not a business registered  
3 with the State of Nevada Secretary of State. It is a business engaged in debt collection  
4 services with the address 908 Town & Country Blvd., Suite 230, Houston, Texas 77024 and  
5 P.O. Box 572884, Houston, Texas 77257-2884.

6 4. Respondent is not now and has never been licensed as a collection agency by  
7 the Division.

8 5. Respondent is an attorney in the State of Texas, but he is not a licensed  
9 attorney in the State of Nevada.

10 6. The Division received a complaint from a resident of the State of Nevada  
11 regarding Respondent's collection efforts on behalf of the law firm Greenberg, Grant and  
12 Richards, Inc., which was acting on behalf of a creditor, Yellow Page Directories 2.

13 7. On September 30, 2008, Respondent wrote the debtor a letter which states that  
14 Respondent is "auditing" the accounts receivables for the creditor. Respondent stated, "As of  
15 this date, their records show an outstanding account receivable balance of \$298.00. ... If this  
16 amount is correct, please advise the check number and date the check will be issued to bring  
17 the account current."

18 8. The letter stated, "Please remit all funds in US currency only." Also the letter  
19 provides for payment by credit card.

20 9. The Complaint submitted to the Division states that the amount is not owed, and  
21 that the debtor has never contracted with Yellow Pages Directory 2 for any services.

22 10. Respondent engaged in the business as a collection agent in the State of  
23 Nevada without first obtaining a license to do so.

24 **CONCLUSIONS OF LAW**

25 11. NRS 649.075(1) reads as follows:

26 Except as otherwise provided in this section, a person shall not  
27 conduct within this State a collection agency or engage within this  
28 State in the business of collecting claims for others, or of soliciting

1 the right to collect or receive payment for another of any claim, or  
2 advertise, or solicit, either in print, by letter, in person or otherwise,  
3 the right to collect or receive payment for another of any claim, or  
4 seek to make collection or obtain payment of any claim on behalf  
5 of another without having first applied for and obtained a license  
6 from the Commissioner.

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12. NRS 649.395 provides the Commissioner to take disciplinary action for any violation of NRS Chapter 649.

NRS 649.390 Investigation of verified complaint concerning unlicensed person; order to cease and desist; administrative fines; suit to recover fine; cumulative penalties.

1. The Commissioner shall conduct an investigation if he receives a verified complaint from any person that sets forth reason to believe that an unlicensed person is engaging in an activity for which a license is required pursuant to this chapter.

2. If the Commissioner determines that an unlicensed person is engaging in an activity for which a license is required pursuant to this chapter, the Commissioner shall issue and serve on the person an order to cease and desist from engaging in the activity until such time as the person obtains a license from the Commissioner.

3. If a person upon whom an order to cease and desist is served does not comply with the order within 30 days after service, the Commissioner shall, after notice and opportunity for a hearing:

(a) Impose upon the person an administrative fine of \$10,000;  
or

(b) Enter into a written consent agreement with the person pursuant to which the person agrees to cease and desist from all unlicensed activity in this State relating to the collection of debts, and impose upon the person an administrative fine of not less than \$5,000 and not more than \$10,000.

-- The imposition of an administrative fine pursuant to this subsection is a final decision for the purposes of judicial review.

4. The Commissioner shall bring suit in the name and on behalf of the State of Nevada against a person upon whom an administrative fine is imposed pursuant to subsection 3 to recover the amount of the administrative fine:

(a) If no petition for judicial review is filed pursuant to NRS 233B.130 and the fine remains unpaid for more than 90 days after notice of the imposition of the fine; or

(b) If a petition for judicial review is filed pursuant to NRS 233B.130 and the fine remains unpaid for more than 90 days after exhaustion of any right of appeal in the courts of this State resulting in a final determination that upholds the imposition of the fine.

1 5. A person's liability for an administrative fine is in addition to  
2 any other penalty provided in this chapter.

3 13. Pursuant to NRS 649.440, the Commissioner can impose administrative fines  
4 of not more than \$10,000.00 for any violation of this chapter.

5 In addition to any other remedy or penalty, the Commissioner may  
6 impose an administrative fine of not more than \$10,000 upon a  
7 person who:

8 1. Without a license or certificate, conducts any business or  
9 activity for which a license or certificate is required pursuant to the  
10 provisions of this chapter; or

11 2. Violates any provision of this chapter or any regulation  
12 adopted pursuant thereto.

13 14. Respondent has violated NRS 649.075 by engaging in the business of collecting  
14 payments for another in the State of Nevada.

15 15. As Respondent is not an attorney licensed in the State of Nevada, no applicable  
16 exemptions apply to Respondent's conduct.

17 16. Pursuant to NRS 649.395, the Commissioner hereby orders Respondent to  
18 cease and desist all activity covered under NRS Chapter 649 and will set a hearing to  
19 determine any administrative fine to be imposed.

### 20 ORDER

21 IT IS HEREBY ORDERED that Respondent the LAW OFFICES OF W.C. FRENCH  
22 shall **CEASE AND DESIST** from operating and/or engaging in the business of "collecting  
23 claims for others, or of soliciting the right to collect or receive payment for another of any  
24 claim, or advertise, or solicit, either in print, by letter, in person or otherwise, the right to collect  
25 or receive payment for another of any claim, or seek to make collection or obtain payment of  
26 any claim on behalf of another" within the State of Nevada unless and until such time

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1 Respondent becomes licensed by the Division pursuant to NRS Chapter 649.

2 DATED this 10<sup>th</sup> day of March, 2009.

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STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION

By:   
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STEVEN W. KONDRUP  
Deputy Commissioner

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Financial Institutions Division, and that on the 10<sup>th</sup> day of March, 2009, I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing **ORDER TO CEASE AND DESIST UNLICENSED**

**ACTIVITIES**, addressed as follows:

Law Offices of W. C. French  
Attn: W. C. French  
P.O. Box 572884  
Houston, Texas 77257-2884

Certified Mail 7008-1830-0002-7966-6809

DATED this 10 day of March, 2009

By: 