

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, SEPTEMBER 3, 2010

CLERK'S OFFICE

2010 SEP -3 A 11:05

100910100

COMMONWEALTH OF VIRGINIA, *ex. rel.*

STATE CORPORATION COMMISSION

v.

TECHNOLOGY COMMUNICATION  
MANAGEMENT, LLC

and

RAWLE GERARD SUITE  
a/k/a GERARD SUITE  
a/k/a RAUL JERARD ANTHONY  
a/k/a R.J. ANTHONY,

Defendants

CASE NO. SEC-2009-00036

---

CASE NO. SEC-2009-00037

JUDGMENT ORDER

On September 8, 2009, the State Corporation Commission ("Commission") issued a Rule to Show Cause ("Rule") against Technology Communication Management, LLC ("TCM") and Rawle Gerard Suite a/k/a Gerard Suite a/k/a Raul Jerard Anthony a/k/a R.J. Anthony ("Suite") (collectively, "Defendants"). The Rule alleged various violations of the Virginia Securities Act ("Act"), § 13.1-501 *et seq.* of the Code of Virginia. Specifically, the Rule alleged that each of the Defendants: (i) violated § 13.1-507 of the Act in that they offered and sold securities that were not registered under the Act or exempt from registration; (ii) violated § 13.1-504 A of the Act by selling securities without being registered with the Division of Securities and Retail Franchising ("Division") as an agent of the issuer or a broker-dealer; (iii) violated § 13.1-502 (2) of the Act by making material misrepresentations and omissions in the offer and sale of securities; and (iv) violated § 13.1-502 (3) of the Act by engaging in any transaction, practice or course of business which operates or would operate as a fraud or deceit upon the purchaser. Additionally, the Rule alleged Defendant TCM violated § 13.1-504 B of the Act by selling

securities through Defendant Suite, who was not registered with the Division as an agent of an issuer or broker-dealer.

The Rule, among other things, assigned the matter to a Hearing Examiner and scheduled an evidentiary hearing for January 27, 2010. Additionally, the Rule ordered the Defendants to file a responsive pleading on or before October 16, 2009, in which the Defendants were required to expressly admit or deny the allegations in the Rule and present any affirmative defenses that they intended to assert. The Defendants were advised that they may be found in default if they failed to either timely file a responsive pleading or other appropriate pleading, or if they filed such pleading and failed to make an appearance at the hearing. If found in default, the Defendants were advised that they would be deemed to have waived all objections to the admissibility of evidence and may have entered against them a judgment by default imposing some or all of the sanctions permitted by law.

On December 30, 2009, the Division filed a Motion for Default. In support, the Division stated that the Defendants had not filed an answer or other responsive pleading to the Rule. Additionally, the Division stated that the Defendants were properly served with the Rule. The Division provided legal authority for the Commission to enter a default judgment, along with legal authority that due process notice requirements were satisfied. The Division requested that the Hearing Examiner: (i) grant the Motion for Default Judgment; (ii) recommend to the Commission that the Commission enter a Judgment Order finding Defendant TCM in default and imposing a \$10,000 monetary penalty for each violation of the Act for a total of \$640,000; (iii) recommend to the Commission that the Commission enter a Judgment Order finding Defendant Suite in default and imposing a \$10,000 monetary penalty for each violation of the Act for a total

of \$460,000; and (iv) order the Defendants to pay restitution to the investors as follows: Ronald Woods - \$45,950; James Beasley - \$17,527; David Smith - \$16,300; and Paul Russell - \$38,464.

A hearing on the Rule was convened on January 27, 2010. The Defendants failed to appear after receiving notice of the hearing.

On July 28, 2010, the Chief Hearing Examiner issued her Report. In her Report, she found that: (i) the testimony and documentary evidence submitted by the Division proved by clear and convincing evidence the Defendants' violations of the Act; and (ii) the Motion for Default should be granted. Additionally, the Report allowed the Defendants twenty-one (21) days in which to provide comments. The Defendants did not file comments.

NOW THE COMMISSION, upon consideration of the Rule, the record, the Chief Hearing Examiner's Report, and the applicable statutes, is of the opinion and finds that the Hearing Examiner's findings and recommendations are reasonable and should be adopted.

Accordingly, IT IS ORDERED THAT:

(1) In accordance with the Commission's regulatory duties and powers pursuant to § 13.1-521 A of the Act, judgment is entered for the Commonwealth against Defendant TCM in the amount of Six Hundred Forty Thousand Dollars (\$640,000.00);

(2) In accordance with the Commission's regulatory duties and powers pursuant to § 13.1-521 A of the Act, judgment is entered for the Commonwealth against Defendant Suite in the amount of Four Hundred Sixty Thousand Dollars (\$460,000.00); and

(3) In accordance with the Commission's regulatory duties and powers pursuant to § 13.1-521 C of the Act, the Defendants shall pay restitution to the investors as follows: Ronald Woods - \$45,950; James Beasley - \$17,527; David Smith - \$16,300; and Paul Russell - \$38,464.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission, by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to: Rawle Gerard Suite, 5405 Alton Parkway, Suite 5A, Irvine, California 92604; Technology Communication Management, LLC, c/o Rawle Gerard Suite, 5405 Alton Parkway, Suite 5A, Irvine, California 92604; and a copy shall be delivered to the Commission's Office of General Counsel and Division of Securities and Retail Franchising.