7       Respondents       )       TO CHARGE COSTS         7       Respondents       )         8       THE STATE OF WASHINGTON TO:       Illuminized, Inc.         10       STATEMENT OF CHARGES         11       STATEMENT OF CHARGES         12       Please take notice that the Securities Administrator of the State of Washington has read         13       to believe that Respondents, Illuminized, Inc. and Lee Nguyen, have each violated the         14       Securities Act of Washington and that their violations justify the entry of an order of the         16       Securities Administrator under RCW 21.20.390 against each to cease and desist from such         17       violations and to charge costs. The Securities Administrator finds as follows:         18       TENTATIVE FINDINGS OF FACT         19       Respondents         21       1. Illuminized, Inc. is a Nevada corporation that was incorporated on April 18, 2008.         22       Illuminized, Inc. did business in Seattle, Washington.         23       2. Lee Nguyen ("Nguyen") is President of Illuminized, Inc.         24       Nature of the Offering         25       3. During May 2008, Respondents each offered and sold at least one investment total \$50,000 to a Washington investor. When offering and selling the investment, Respondents         STATEMENT OF CHARGES AND NOTICE OF DO Securities D O ONTICE OF OF ONTER AN		
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		INTENT TO ENTER AN ORDER TO CEASE AND 1 Securities Division PO Box 903

each represented to the investor that the investor's funds would earn 3% interest at the end of four months. Respondents each gave the investor a document describing a "guaranteed investment" in a "general investment partnership," but the investor had no control over the use of the invested funds and the investor did not participate in the management of the business that would purportedly generate the return on investment. Respondents each represented that the investor's funds would be used to capitalize "Illuminized Corporation," which had the same Seattle address as Illuminized, Inc. Respondents each represented that Illuminized Corporation had offices in Seattle, Washington and Las Vegas, Nevada.

#### Misrepresentations or Omissions

4. When offering and selling the investment, Respondents each represented to the investor that the investment was "guaranteed" and had no risk. Respondents each failed to disclose the risks of the investment. Respondents each failed to disclose the source of any guarantee for the investment. Respondents each failed to give the investor financial information about the investment, including financial statements for the issuer of the investment or any guarantor of the investment. Respondents each failed to disclose that Illuminized Corporation was not registered with the Washington Secretary of State or the Nevada Secretary of State. Respondents each failed to disclose that the investor could lose the entire amount of the investment. To date, the investment has never been repaid.

### STATEMENT OF CHARGES AND NOTICE OF INTENT TO ENTER AN ORDER TO CEASE AND DESIST AND TO CHARGE COSTS

### Failure to Comply with a Subpoena for Documents and Testimony

5. On March 1, 2010, the Washington Securities Division issued a Subpoena Duces Tecum and to Testify, Subpoena Number S-10-044-10-DI01, to Respondents. The subpoena called for testimony by Nguyen on April 13, 2010. Nguyen appeared before the Securities Division on April 13, 2010 and testified that he needed to have more time to retain an attorney and to respond to the subpoena for documents and testimony. Accordingly, the subpoena was modified to require Illuminized, Inc. and Nguyen to produce documents on or before May 12, 2010 and to require testimony by Nguyen on May 18, 2010. Illuminized, Inc. and Nguyen each failed to produce documents and Nguyen failed to testify.

Based upon the Tentative Findings of Fact, the following Conclusions of Law are made:

## **CONCLUSIONS OF LAW**

#### I.

The offer or sale of the investment described in the Tentative Findings of Fact constitutes the offer or sale of a security, as defined in RCW 21.20.005(10) and (12), in the form of an investment contract.

### II.

The offer or sale of said security was made in violation of RCW 21.20.010 because, in connection with the offer and sale of said security, Respondents, Illuminized, Inc. and Nguyen, each made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

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STATEMENT OF CHARGES AND NOTICE OF INTENT TO ENTER AN ORDER TO CEASE AND DESIST AND TO CHARGE COSTS

## NOTICE OF INTENT TO ORDER RESPONDENTS TO CEASE AND DESIST

Pursuant to RCW 21.20.390, and based upon the Tentative Findings of Fact and Conclusions of Law, the Securities Administrator intends to order that Illuminized, Inc. and Nguyen, and their agents and employees, each shall cease and desist from any violation of RCW 21.20.010.

# NOTICE OF INTENT TO CHARGE COSTS

Pursuant to RCW 21.20.390, and based upon the Tentative Findings of Fact and Conclusions of Law, the Securities Administrator intends to order that Nguyen shall be liable for and shall pay investigative costs of \$2,500.

# AUTHORITY AND PROCEDURE

This Statement of Charges is entered pursuant to the provisions of chapter 21.20 RCW and is subject to the provisions of chapter 34.05 RCW. The respondents, Illuminized, Inc. and Nguyen, may each make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this order.

If a respondent fails to make a timely hearing request, the Securities Administrator intends to adopt the above Tentative Findings of Fact and Conclusions of Law as final and to enter a permanent order to cease and desist as to that respondent and charge any costs sought against that respondent.

Dated this 18th day of June, 2010

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SUZANNE E. SARASON Chief of Enforcement

STATEMENT OF CHARGES AND NOTICE OF INTENT TO ENTER AN ORDER TO CEASE AND DESIST AND TO CHARGE COSTS DEPARTMENT OF FINANCIAL INSTITUTIONS Securities Division PO Box 9033 Olympia, WA 98507-9033 360-902-8760

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Janet So **Enforcement Attorney** STATEMENT OF CHARGES AND NOTICE OF DEPARTMENT OF FINANCIAL INSTITUTIONS INTENT TO ENTER AN ORDER TO CEASE AND PO Box 9033 Olympia, WA 98507-9033 DESIST AND TO CHARGE COSTS

Presented by:

Jamet Do

Securities Division

360-902-8760