

JAN 24 2012

STATE OF INDIANA
OFFICE OF THE SECRETARY OF STATE
AUTO DEALER SERVICES DIVISION

INDIANA
SECRETARY OF STATE

IN THE MATTER OF:)
) Cause No. DLR 11-0331 RO
EXCLUSIVE DEALERS, INC.)
and JORGE AMADIZ,)
)
Respondents.)

CONSENT AGREEMENT

The Office of the Indiana Secretary of State – Auto Dealer Services Division (the “Division”) and Respondents, Exclusive Dealers, Inc. (“ED”) and Jorge Amadiz (“Amadiz”), agree and stipulate to the following:

1. The Auto Dealer Services Division (“Division”) is a division of the Office of the Secretary of State. The Division has jurisdiction over matters relating to automobile dealers, as provided by Indiana Code § 9-23-0.7-1.
2. ED is a business entity that provided the Division with a last known business address of 100 N. Center Street, Suite 217, Mishawaka, Indiana, 46544.
3. ED and Amadiz are also wholesale dealers, or other entities defined by Indiana Code § 9-23-2-1, that hold Indiana dealer license #900680.
4. On October 26, 2011, the Division filed a Petition for Order of Revocation (“Petition”) against ED and Amadiz.
5. On October 26, 2011, the Indiana Securities Commissioner (the “Commissioner”) issued an Order of Revocation temporarily revoking ED’s and Amadiz’s dealer license, #900680.
6. The Division’s allegations in the Petition against ED and Amadiz are hereby incorporated herein.

7. This Consent Agreement deals only with the allegations set out in the Petition.

8. In lieu of further administrative proceedings, ED, Amadiz, and the Division agree as follows:

(a) ED and Amadiz waive their right to a hearing pursuant to Indiana Code § 9-23-2-14(d).

(b) ED and Amadiz waive their right to an appeal pursuant to Indiana Code § 9-23-2-17.

(c) ED and Amadiz shall pay a total civil monetary penalty of Two Hundred, Fifty Dollars (\$250.00) to the Division.

(d) ED and Amadiz agree not to violate any statutes or administrative regulations that pertain to dealers including but not limited to the Indiana Motor Vehicles Manufacturers, Distributors and Dealers Act, Indiana Code § 9-23-2.

(e) ED and Amadiz agree to surrender dealer plates 24112B, 24113B, 24114B, and 24115B to the Division upon the signing of this Consent Agreement.

9. The failure of ED and Amadiz to adhere to the terms of this Consent Agreement shall constitute grounds for administrative action against ED and Amadiz and any party involved in the violation.

10. The failure of ED and Amadiz to adhere to the terms of this Consent Agreement shall constitute grounds for the Petition to be re-filed.

11. This Consent Agreement may be used to show repetitive conduct should ED or Amadiz commit future violations of the Act.

12. The parties to this Consent Agreement agree that all the terms of the Agreement

are contractual and that none is a mere recital.

13. This Consent Agreement may be executed in multiple counterparts, each of which shall be considered binding on all parties.

14. This Consent Agreement is expressly subject to the approval of the Commissioner, and should the Commissioner fail or refuse, for any reason, to approve this Consent Agreement, the same shall be of no force or effect, and it shall not be admissible into evidence nor referred to any hearing held in connection with the matters referred to herein.

EXCLUSIVE DEALERS, INC.

INDIANA SECRETARY OF STATE
AUTO DEALER SERVICES DIVISION

By: [Signature]

By: [Signature]

Printed: Jorge Amadiz

Ashley Humphries
Enforcement Attorney

Title: Owner

Date: 1/13/12

Date: 1/20/12

JORGE AMADIZ

[Signature]

APPROVED and ORDERED at Indianapolis, Indiana this 24TH day of JANUARY 2012.

CHARLES P. WHITE
INDIANA SECRETARY OF STATE

[Signature]

CHRIS NAYLOR
SECURITIES COMMISSIONER

