

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
3 DEVELOPMENT
4 DIVISION OF BANKING AND SECURITIES

5
6 In the Matter of:)
7)
8 Amazon Payments Inc.)
9)
10)
11 Respondent)
12 Case No. C4000-09-003
13

COPY

14
15
16 **CONSENT ORDER**
17

18 IT IS HEREBY AGREED by the Department of Commerce, Community and Economic
19 Development, Division of Banking and Securities (Division) and Amazon Payments Inc.
20 located at 1200 12th Avenue South, Suite 1200, Seattle, Washington (Respondent) as follows:
21

22 1. Licensure. Respondent currently does not hold a Business License under AS
23 43.70.020 to do business as Amazon Payments Inc. in the State of Alaska.
24

25 2. Admission/Jurisdiction. Respondent admits and agrees that the Commissioner of
26 the Department of Commerce, Community and Economic Development has jurisdiction over
27 the subject matter concerning AS 06.55 and over this Consent Order.
28

29 **COUNT I**
30

31 a. On July 1, 2008 the State of Alaska required licensing of all money
32 service businesses conducting money service activities in the State of Alaska under AS 06.55.
33

34 b. From July 1, 2008 to present, Respondent has not held a license from the
35 State of Alaska under AS 06.55.101 and has conducted transactions with residents of the State
of Alaska and has acted as a money service business generally. During this time period,

1 Respondent has been licensed to engage in money transmission in at least one state that has
2 enacted the Uniform Money Services Act as described in AS 06.55.103(1).

3
4 3. Parties' Intent. It is the intent of the parties to this Consent Order to provide for
5 the compromise and settlement of the issues described in this Consent Order under the terms
6 and conditions contained in this order.

7
8 4. Waiver of Rights. Respondent understands that Respondent has the right to
9 consult with an attorney of Respondent's own choosing and that Respondent has a right to an
10 administrative hearing on the facts in this case. Respondent understands and agrees that by
11 signing this Consent Order, Respondent is waiving the rights to counsel and to a hearing.
12 Further, Respondent understands and agrees that Respondent is relieving the Division of any
13 burden of proving the facts admitted in this Consent Order. Respondent understands and agrees
14 that by signing this Consent Order, Respondent voluntarily and knowingly is giving up the right
15 to present oral and documentary evidence, to present rebuttal evidence, to cross-examine
16 witnesses, and to appeal the Commissioner's decision to Superior Court. Respondent will not
17 seek administrative review of this order and acknowledges that any administrative hearing or
18 review based on this Consent Order would be dismissed. Respondent's execution of this Order
19 does not constitute an admission by Respondent that Respondent has violated any provision of
20 AS 06.55 or the regulations adopted to implement that chapter.

21
22 5. Consent Order and Decision. Respondent agrees that the Commissioner has the
23 authority to adopt this Consent Order and to issue the following Decision and Order:

24
25 PROPOSED DECISION AND ORDER

26
27 IT IS HEREBY ORDERED for Count I that the Respondent agrees to pay a (a) civil
28 penalty of \$3,000.00 (three thousand dollars) and (b) investigative fees of \$225.00 (two
29 hundred twenty-five dollars), for a total of \$3,225.00 (three thousand two hundred twenty-five
30 dollars) due within 30 (thirty) business days commencing the signing of the order. Such
31 payment shall be:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

- a. made by company check, bank cashier's check, or bank money order;
- b. made payable to the "State of Alaska";
- c. sent to Lorie L. Hovanec, Director, Division of Banking & Securities, 550 West 7th Avenue, Suite 1940 Anchorage, Alaska 99501
- d. submitted under a cover letter, which references the caption and file number in this matter

FUTURE VIOLATIONS

If Respondent is charged in the future with violating AS 06.55 or any of the regulations adopted under AS 06.55, Respondent may not contest the factual basis for this consent order as set out in paragraph 2 above.

ADDRESS OF THE DEPARTMENT REPRESENTATIVE

All required reports or other communication concerning compliance with this Consent Order shall be addressed to:

Linette Lacy, Investigator
State of Alaska
Division of Banking and Securities
550 West Seventh Avenue, Suite 1940
Anchorage, Alaska 99501-3567
TEL: 269-8188 FAX: 269-1066

///

IT IS HEREBY FURTHER ORDERED that this order shall take effect immediately upon its adoption by the Commissioner or his delegate and is a public record of the Department and the State of Alaska. The State may provide a copy of it to any person or entity making a relevant inquiry.

DATED this 7th day of July, 2009, at Anchorage, Alaska.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

EMIL NOTTI, COMMISSIONER

By: /s/ Lorie L. Hovanec

Lorie L. Hovanec, Director
Division of Banking & Securities

I, as President for Amazon Payments Inc. have read the Consent Order, understand it, and agree that Amazon Payments Inc. shall be bound by its terms and conditions.

Dated: 07/16/09 /s/ Mark Stabingas

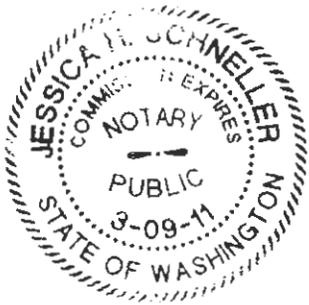
Mark Stabingas
President, Amazon Payments Inc.

SUBSCRIBED AND SWORN TO before me this 16th day of,
July, 2009, at Seattle, WA, State/Country USA.

/s/ Jessica Schneller

Notary Public in and for ~~Alaska~~ Washington

My commission expires: March 9, 2011



State of Alaska
Department of Commerce, Community and Economic Development
Division of Banking and Securities, 550 West 7th Avenue Ste. 19-40
Anchorage, AK 99501-3567 Tel (907) 269-8140 FAX (907) 269-8146

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
DEVELOPMENT
DIVISION OF BANKING AND SECURITIES

In the Matter of:)
)
Amazon Payments Inc.)
)
)
)
Respondent)
Case No. C4000-09-003

ORDER

The Commissioner or his delegate of the Department of Commerce, Community and Economic Development for the State of Alaska, having examined the Consent Order and proposed Decision, Case No. C4000-09-003, hereby adopts the Consent Order and Decision in this matter.

DATED this 21st day of July, of 2009, at Anchorage, Alaska.

EMIL NOTTI, COMMISSIONER

By: /s/ Lorie L. Hovanec
Lorie L. Hovanec, Director
Division of Banking & Securities