



STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION

2785 E. Desert Inn Road, Suite 180  
Las Vegas, Nevada 89121  
(702) 486-4120

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

In Re:

WESTERN SKY FINANCIAL, LLC;  
CASHCALL, INC.; WS FUNDING, LLC;  
and DELBERT SERVICES  
CORPORATION.

Respondents.

GLOBAL CONSENT ORDER  
REGARDING LOANS ORIGINATED  
BY WESTERN SKY FINANCIAL, LLC

GLOBAL CONSENT ORDER REGARDING  
LOANS ORIGINATED BY WESTERN SKY FINANCIAL, LLC

COMES NOW, State of Nevada, Department of Business and Industry, Financial Institutions Division (hereinafter "FID") and WESTERN SKY FINANCIAL, LLC ("WESTERN SKY"), CASHCALL, INC., WS FUNDING, LLC, and DELBERT SERVICES CORPORATION (collectively referred to hereafter as "Respondents"), to submit this Global Consent Order Regarding Loans Originated by Western Sky Financial, LLC (the "Global Consent Order"). The parties agree and stipulate, and the Hearing Officer approves the Global Consent Order as follows:

1. WESTERN SKY is a Limited Liability Company organized under the laws of South Dakota and located on the Cheyenne River Indian Reservation.
2. CASHCALL, INC. is a California corporation, licensed by the FID pursuant to NRS Chapter 675.
3. WS FUNDING, LLC is a California limited liability company that has purchased and has been assigned the rights to promissory notes originated by WESTERN SKY.
4. DELBERT SERVICES CORPORATION is a Nevada corporation licensed by the FID pursuant to NRS Chapter 649.

1           5.     WESTERN SKY solicited and made loans to Nevada residents and  
2 CASHCALL, INC., WS FUNDING, LLC, and DELBERT SERVICES CORPORATION have  
3 either purchased, serviced or collected on those loans.

4           6.     WESTERN SKY is not licensed by the FID to conduct the business of lending  
5 in the State of Nevada. Whereas FID contends that WESTERN SKY's lending activity to  
6 Nevada residents required a license, WESTERN SKY contends that it did not.

7           7.     On June 28, 2013, the FID issued a Cease and Desist Order against  
8 WESTERN SKY prohibiting the company from conducting the business of lending without a  
9 license pursuant to NRS Chapters 675 and 604A (the "Underlying C&D Order"). The  
10 Underlying C&D Order stated, in part: "[R]espondent WESTERN SKY FINANCIAL, LLC,  
11 shall CEASE AND DESIST from operating and/or engaging in deferred deposit loan service  
12 and high interest loan service or other lending activity defined in NRS Chapters 604A and  
13 675 within the State of Nevada unless and until such time as [WESTERN SKY FINANCIAL,  
14 LLC] has become licensed by the Division pursuant to NRS Chapter 604A, or, if applicable,  
15 NRS Chapter 675, to operate and/or engage in such activity."

16           8.     On June 28, 2013, the FID filed a complaint for disciplinary action based upon  
17 the unlicensed lending activity of WESTERN SKY (the "Complaint").

18           9.     Because of requests for continuances, the hearing on the FID Complaint was  
19 set for October 22, 2013.

20           10.    WESTERN SKY appeared at the October 22, 2013 hearing contesting the  
21 FID's Complaint and asserting that the loans were made on the Cheyenne River Indian  
22 Reservation and were not subject to regulation by the FID.

23           11.    Authorized representatives of CASHCALL, INC., WS FUNDING, LLC, and  
24 DELBERT SERVICES CORPORATION were also present at the hearing. Although none  
25 of these entities were named as Respondents in the Underlying C&D Order or Complaint,  
26 they are now included as Respondents on this Global Consent Order in order to achieve a  
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1 global resolution of the subject matter described in the Underlying C&D Order and  
2 Complaint.

3 12. Both the FID and WESTERN SKY were prepared to proceed with the hearing,  
4 but they believed that it was in the best interests of all parties to resolve this matter under  
5 the following terms.

6 13. All Respondents agree to be bound by the terms of this Global Consent Order.

### 7 **STIPULATION AND ORDER**

8 The Parties desire to compromise and settle the instant controversy upon the  
9 following terms and conditions:

10 14. That the part of the Underlying C&D Order issued by the FID against  
11 WESTERN SKY on June 28, 2013, that orders WESTERN SKY to "CEASE AND DESIST  
12 from operating and/or engaging in deferred deposit loan service and high interest loan  
13 service or other lending activity defined in NRS Chapters 604A and 675 within the State of  
14 Nevada unless and until such time as [WESTERN SKY] has become licensed by the  
15 Division pursuant to NRS Chapter 604A, or, if applicable, NRS Chapter 675, to operate  
16 and/or engage in such activity" shall be permanent and remain in full force and effect.  
17 Specifically, WESTERN SKY shall not engage in the business of lending as defined in NRS  
18 675.060 in the State of Nevada unless and until it obtains said license to do so.

19 15. Respondents shall collectively pay a total of Fifty Thousand Dollars  
20 (\$50,000.00) in administrative fines to the FID (the "Payment"). Respondents shall pay the  
21 entire amount of the administrative fine within thirty (30) days of the date the Global  
22 Consent Order is signed by the Hearing Officer.

23 16. No grace period for the Payment is permitted. If the Payment is not actually  
24 received by the FID on or before its due date, it shall be construed as an event of default by  
25 the Respondents.

26 17. Subject to Paragraph 18 below, Respondents, their directors, members,  
27 officers, managers, shareholders, attorneys, employees, affiliated natural persons, agents,  
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1 predecessors, successors, and assigns (collectively, the "Parties Related to Respondents")  
2 shall not file, initiate, pursue, or utilize in any way the local, state or federal court system in  
3 the State of Nevada to enforce, validate, or collect money, through any equitable or legal  
4 causes of action, based upon any provision of a loan originated by WESTERN SKY against  
5 any borrower who resides in the State of Nevada. This includes seeking or obtaining any  
6 judgment, writ of execution or attachment, wage garnishment and/or lien.

7 18. Notwithstanding the prohibitions set forth in Paragraph 17 of this Global  
8 Consent Order, the parties agree that Respondents and Parties Related to Respondents  
9 may participate in a court action in the State of Nevada only under the following  
10 circumstances:

- 11 a. Respondents (and Parties Related to Respondents) may attempt to  
12 domesticate a valid judgment based upon a loan originated by WESTERN  
13 SKY, obtained through the Tribal Court of the Cheyenne River Sioux Tribe.
- 14 b. If any of the Respondents (and Parties Related to Respondents) are named as  
15 defendants in a lawsuit concerning a loan originated by WESTERN SKY, they  
16 may defend against the suit and file any counterclaim they deem necessary,  
17 including for payment of the balance of the loan.

18 19. Notwithstanding the above limitations on the use of Nevada courts, the parties  
19 agree that Respondents (and Parties Related to Respondents) may continue to solicit and  
20 receive payments in a lawful manner from Nevada residents on outstanding loans  
21 originated by WESTERN SKY.

22 20. The FID agrees not to pursue any other or greater remedies or fines in  
23 connection with Respondents' alleged conduct related to the allegations contained in the  
24 Underlying C&D Order or Complaint, including engaging in the business of lending in the  
25 State of Nevada without a license, and including against not only Respondents themselves,  
26 but also the Parties Related to Respondents. The FID confirms that CASHCALL will not be  
27 subject to any other or additional fines or remedies, or other action, resulting from the FID's  
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1 2013 examination of CASHCALL (Examination Number 61942) or its August 20, 2013  
2 Report of Examination. This Global Consent Order resolves that Examination.

3 21. Nothing in this Global Consent Order shall be construed as an admission by  
4 the Respondents of any violation of law stated in the Complaint filed by the FID. Further,  
5 this Global Consent Order is not a waiver of Respondents' jurisdictional defenses, including  
6 that lending activity conducted by WESTERN SKY occurred on the Cheyenne River Indian  
7 Reservation and is subject solely to the exclusive laws and jurisdiction of the Cheyenne  
8 River Sioux Tribe.

9 22. Respondents and the FID agree that by entering into this Global Consent  
10 Order, the FID does not concede any defense or mitigation Respondent may assert.

11 23. Respondents agree that in the event of a breach of any term of this Global  
12 Consent Order, the FID may, at its option, rescind the Global Consent Order and proceed  
13 with prosecuting the Complaint before a duly appointed Nevada Administrative Hearing  
14 Officer. However, in that event, Respondents may assert any jurisdictional or other  
15 defenses they would have raised at the October 22, 2013 hearing or that they otherwise  
16 may have, except that Respondents waive any claim for laches or statute of limitations  
17 concerning the complaint following the alleged default and rescission.

18 24. Further, Respondents agree that in the event of any alleged breach of any term  
19 of this Global Consent Order, the FID may prosecute Respondents for alleged violations of  
20 a valid order issued by the Commissioner and the FID. Respondents consent to jurisdiction  
21 only for purposes of enforcing this Global Consent Order.

22 25. Respondents agree and understand that by entering into this Global Consent  
23 Order, Respondents are waiving their right to a hearing at which Respondents may present  
24 evidence in their defense, their right to a written decision on the merits of the complaint,  
25 their rights to reconsideration and/or rehearing, appeal and/or judicial review, and all other  
26 rights which may be accorded by the Nevada Administrative Procedure Act, NRS Chapters  
27 604A, 649 and 675, and all related regulations, and the state and federal constitutions. In  
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1 the event the Global Consent Order is rescinded, however, and the FID proceeds to  
2 prosecute the Complaint before a Hearing Officer, then Respondents shall be entitled fully  
3 to the aforementioned rights.

4 26. Respondents understand that this Global Consent Order and other  
5 documentation may be subject to public records laws. The Hearing Officer who reviews this  
6 matter for approval of this Global Consent Order may be the same Hearing Officer who  
7 ultimately hears, considers and decides the Complaint if this Global Consent Order is either  
8 not approved by the Hearing Officer or is not fully performed by Respondents.

9 27. Respondents fully understand that they have the right to be represented by  
10 legal counsel in this matter at their own expense.

11 28. Each party shall bear its own attorney's fees and costs.

12 29. Release. In consideration of execution of this Global Consent Order, the  
13 Respondents for themselves, successors, and assigns, hereby release, remise, and forever  
14 discharge the State of Nevada, the Department of Business and Industry and the FID, and  
15 each of their respective members, agents, employees and counsel in their individual and  
16 representative capacities, from any and all manner of actions, causes of action, suits,  
17 debts, judgments, executions, claims, and demands whatsoever, known and unknown, in  
18 law or equity, that the Respondents ever had, now have, may have, or claim to have,  
19 against any or all of the persons or entities named in this paragraph, arising out of or by  
20 reason of the FID's investigation into WESTERN SKY loans, this disciplinary action, and  
21 conduct related thereto.

22 30. Each signatory represents that they have the authority to bind the principal  
23 they represent.

24 31. This Global Consent Order is governed by the laws of the State of Nevada.

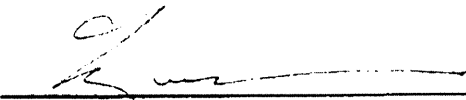
25 32. This Global Consent Order may be executed in counterparts, each of which  
26 shall be deemed to be an original, but all of which, taken together, shall constitute one and  
27 the same agreement. This Global Consent Order may also be executed by facsimile or by  
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1 scanned signature sent by e-mail. A facsimile or scanned signature shall be deemed a  
2 valid and binding original signature.

3 33. Respondents have signed and dated this Stipulation only after reading and  
4 understanding all terms herein.

1 Dated this 18th day of December 2013.

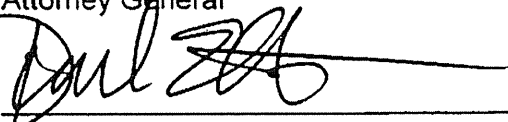
2 State of Nevada  
3 Department of Business and Industry  
4 Financial Institutions Division

5   
6 George E. Burns, Commissioner

7 Approved as to form:

8  
9 Dated this 19th day of December 2013.

10 CATHERINE CORTEZ MASTO  
11 Attorney General

12   
13 Daniel Ebihara  
14 Deputy Attorney General

15 Dated this \_\_\_\_\_ day of December 2013.

16 GORDON & SILVER

17  
18  
19 Mark Dzarnoski, Esq.  
20 Counsel for Western Sky Financial, LLC

Dated this \_\_\_\_\_ day of December 2013

WESTERN SKY FINANCIAL, LLC,

\_\_\_\_\_  
MARTIN WEBB, Sole Member

Dated this \_\_\_\_\_ day of December 2013.

WS FUNDING, LLC

\_\_\_\_\_  
J. Paul Reddam, President

Dated this \_\_\_\_\_ day of December 2013.

CASHCALL, INC.

\_\_\_\_\_  
J. Paul Reddam, President

Dated this \_\_\_\_\_ day of December 2013.

DELBET SERVICES CORPORATION,

\_\_\_\_\_  
J. Paul Reddam,  
Sole Shareholder/Director



1 Dated this \_\_\_\_\_ day of December 2013.

2 State of Nevada  
3 Department of Business and Industry  
4 Financial Institutions Division

5 \_\_\_\_\_  
6 George E. Burns, Commissioner

7 Approved as to form:

8  
9 Dated this \_\_\_\_\_ day of December 2013.

10 CATHERINE CORTEZ MASTO  
11 Attorney General

12 \_\_\_\_\_  
13 Daniel Ebihara  
14 Deputy Attorney General


15 Dated this \_\_\_\_\_ day of December 2013.

16 GORDON & SILVER

17  
18  
19 \_\_\_\_\_  
20 Mark Dzarnoski, Esq.  
21 Counsel for Western Sky Financial, LLC

Dated this 9<sup>th</sup> day of December 2013

WESTERN SKY FINANCIAL, LLC,

  
\_\_\_\_\_ MARTIN WEBB, Sole Member

Dated this \_\_\_\_\_ day of December 2013.

WS FUNDING, LLC

\_\_\_\_\_ J. Paul Reddam, President

Dated this \_\_\_\_\_ day of December 2013.

CASHCALL, INC.

\_\_\_\_\_ J. Paul Reddam, President

Dated this \_\_\_\_\_ day of December 2013.

DELBET SERVICES CORPORATION,

\_\_\_\_\_ J. Paul Reddam,  
Sole Shareholder/Director

1 Dated this \_\_\_\_\_ day of December 2013.

2 State of Nevada  
3 Department of Business and Industry  
4 Financial Institutions Division

5 \_\_\_\_\_  
6 George E. Burns, Commissioner

7 Approved as to form:

8  
9 Dated this \_\_\_\_\_ day of December 2013.

10 CATHERINE CORTEZ MASTO  
11 Attorney General

12 \_\_\_\_\_  
13 Daniel Ebihara  
14 Deputy Attorney General

15 Dated this \_\_\_\_\_ day of December 2013.

16 GORDON & SILVER

17  
18 \_\_\_\_\_  
19 Mark Dzarnoski, Esq.  
20 Counsel for Western Sky Financial, LLC


Dated this \_\_\_\_\_ day of December 2013

WESTERN SKY FINANCIAL, LLC,

\_\_\_\_\_ MARTIN WEBB, Sole Member


Dated this 12 day of December 2013.

WS FUNDING, LLC

  
\_\_\_\_\_ J. Paul Reddam, President


Dated this 12 day of December 2013.

CASHCALL, INC.

  
\_\_\_\_\_ J. Paul Reddam, President

Dated this 12 day of December 2013.

DELBET SERVICES CORPORATION,

  
\_\_\_\_\_ J. Paul Reddam,  
Sole Shareholder/Director

1 Dated this \_\_\_\_\_ day of December 2013.

Dated this \_\_\_\_\_ day of December 2013

2 State of Nevada  
3 Department of Business and Industry  
4 Financial Institutions Division

WESTERN SKY FINANCIAL, LLC,

5 \_\_\_\_\_  
6 George E. Burns, Commissioner

\_\_\_\_\_  
MARTIN WEBB, Sole Member

7 Approved as to form:

8  
9 Dated this \_\_\_\_\_ day of December 2013.

Dated this \_\_\_\_\_ day of December 2013.

10 CATHERINE CORTEZ MASTO  
11 Attorney General

WS FUNDING, LLC

12 \_\_\_\_\_  
13 Daniel Ebihara  
14 Deputy Attorney General

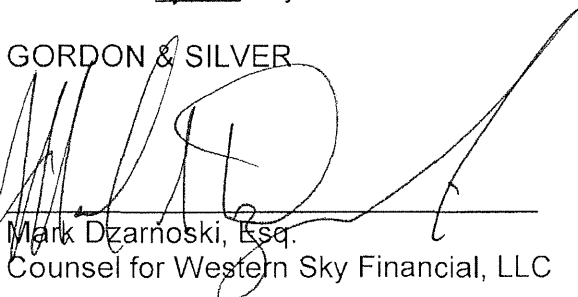
\_\_\_\_\_  
J. Paul Reddam, President

15 Dated this 10 day of December 2013.

Dated this \_\_\_\_\_ day of December 2013.

16 GORDON & SILVER

CASHCALL, INC.

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18 \_\_\_\_\_  
19 Mark Dzarnoski, Esq.  
20 Counsel for Western Sky Financial, LLC

\_\_\_\_\_  
J. Paul Reddam, President

21 Dated this \_\_\_\_\_ day of December 2013.

22 DELBET SERVICES CORPORATION,


23 \_\_\_\_\_  
24 J. Paul Reddam,  
25 Sole Shareholder/Director  
26  
27  
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1 **ORDER**

2 Having reviewed the foregoing, and good cause appearing, now, therefor,

3 IT IS HEREBY ORDERED that the Global Consent Order is APPROVED AND SO  
4 ORDERED.

5 Dated, this 24<sup>th</sup> day of December, 2013

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9 ANDREW MACKAY,  
Hearing Officer