



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF DETERMINING)
Whether there has been a violation of the) OAH No.: 02-2016-DFI-00002
Securities Act of Washington by:) DFI No.: S-15-1624-16-FO01
)
Raymond Willis; MiniHYA Corporation,) FINAL ORDER
)
Respondents.)

THIS MATTER has come before the Director (“Director”) of the Washington State Department of Financial Institutions (“Department”) for entry of the Director’s Final Order pursuant to RCW 34.05.464.

1.0 PROCEDURAL HISTORY

On December 18, 2015, the Director, through Securities Administrator, William M. Beatty, entered a Statement of Charges and Notice of Intent to Issue Order to Cease and Desist, to Impose Fines and to Charge Costs, Order No. S-15-1624-15-SC01 (“Statement of Charges”) against Respondents Raymond Willis and MiniHYA Corporation (“Respondents”). The Statement of Charges, together with a Notice of Opportunity to Defend and Opportunity for Hearing, and an Application for Adjudicative Hearing, were served on Respondents by certified mail on December 28, 2015. On January 14, 2016, Respondents each submitted an Application for Adjudicative Hearing.

On April 4, 2016, OAH held a prehearing conference with ALJ Lisa Dublin presiding. The Department’s representative, Assistant Attorney General Jong Lee (“AAG Lee”), and the Respondents’ representative, Jean Jorgensen, attended the prehearing conference. On April 11, 2016, ALJ Dublin issued a Prehearing Conference Order and Notice of Hearing (“Prehearing Conference Order”) that set the hearing for August 16-18, 2016. The Prehearing Conference Order stated, “DEFAULT: If you do not participate in any stage of the proceedings or if you fail to appear at your hearing, you may be held in default. This means you lose the right to a hearing and your appeal will be dismissed. RCW 34.05.440.”

On August 15, 2016, after the parties had reached a settlement in principle, AAG Lee requested that OAH strike the hearing and set a status conference for September 23, 2016. OAH granted the request and, on August 18,

1 2016, issued and served on all parties a Notice of Status Conference. The Notice of Status Conference set a status
2 conference for September 23, 2016. It also stated, **“You must call in to the conference. If you fail to call in,
3 the administrative law judge may hold you in default and dismiss your appeal. RCW 34.05.440(2).”**
4 (emphasis in original). The Department and Respondent were unable to reach a settlement prior to the status
5 conference.

6 On September 23, 2016, ALJ Dublin convened the status conference. AAG Lee attended the status
7 conference, but Respondents Raymond Willis and MiniHYA Corporation, or anyone on their behalf, failed to appear.
8 AAG Lee moved for a default against Respondents. On September 30, 2016, ALJ Dublin issued and served on the
9 parties an Order Dismissing Appeal, which found Respondents in default under RCW 34.05.440 and dismissed their
10 appeal. The Order Dismissing Appeal notified Respondents of their right to file a request to vacate the order, and
11 provided instructions for doing so. The Order Dismissing Appeal further notified Respondents that such a request
12 must be received by OAH within seven days from the date of service of the order.

13 Pursuant to RCW 34.05.440(3), Respondents Raymond Willis and MiniHYA Corporation had seven (7) days
14 from the date of service of the Order Dismissing Appeal to file a written request to vacate the default. Respondents
15 Raymond Willis and MiniHYA Corporation did not file a request to vacate the Order Dismissing Appeal during the
16 statutory period.

17 **2.0 RECORD ON REVIEW**

18 The record presented to the Director for her review and for entry of a Final Order included the following:

- 19 2.1 Statement of Charges, with documentation of service;
- 20 2.2 Email from Jean Jorgensen dated January 14, 2016;
- 21 2.3 Applications for Adjudicative Hearing for Raymond Willis and MiniHYA Corporation;
- 22 2.4 Prehearing Conference Order and Notice of Hearing, dated April 11, 2016, with certificate of service;
- 23 2.5 Notice of Status Conference, dated August 18, 2016, with certificate of service;
- 24 2.6 Order Dismissing Appeal, dated September 30, 2016, with certificate of service.

25 **3.0 FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Pursuant to RCW 34.05.461, the Director hereby adopts the Statement of Charges, which is attached hereto.

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4.0 FINAL DECISION & ORDER

Based upon the foregoing, and the Director having considered the record and being otherwise fully advised,
NOW, THEREFORE, IT IS HEREBY ORDERED:

4.1 Respondents, Raymond Willis and MiniHYA Corporation, shall each cease and desist from any further violations of RCW 21.20.010 and RCW 21.20.140.

4.2 Respondent Raymond Willis shall cease and desist from any further violations of RCW 21.20.040.

4.3 Respondent Raymond Willis shall be liable for and shall pay a fine of \$20,000.

4.4 Respondent MiniHYA Corporation shall be liable for and shall pay a fine of \$10,000.

4.5 Respondent Raymond Willis shall be liable for and shall pay costs of \$5,000 for the investigation of the violations of the Securities Act of Washington, Chapter 21.20 RCW.

4.5 Respondent MiniHYA Corporation shall be liable for and shall pay costs of \$2,000 for the investigation of the violations of the Securities Act of Washington, Chapter 21.20 RCW.

5.0 RECONSIDERATION

Pursuant to RCW 34.05.470, Respondents Raymond Willis and MiniHYA Corporation have the right to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on a petition.

6.0 STAY OF ORDER

The Director has determined not to consider a Petition to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter 34.05 RCW and RCW

34.05.550.

1 7.0 JUDICIAL REVIEW

2 Respondents Raymond Willis and MiniHYA Corporation have the right to petition the superior court for
3 judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a
4 Petition for Judicial Review, see RCW 34.050.510 and sections following.

5 8.0 NON-COMPLIANCE WITH ORDER

6 If Respondents do not comply with the terms of this order, the Department may seek its enforcement by the
7 Office of Attorney General to include the collection of fines and fees imposed herein. Failure to comply with this
8 Final Decision & Order may also prompt additional actions against Respondents by the Department as permitted by
9 the Securities Act of Washington, Chapter 21.20 RCW, for failure to comply with a lawful order of the Department.

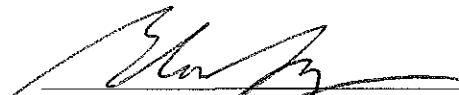
10 9.0 SERVICE

11 For purposes of filing a Petition for Reconsideration or a Petition for Judicial Review, service is effective
12 upon deposit of this order in the U.S. mail with a declaration of service attached hereto.

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14 DATED this 16th day of November 2016.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS



GLORIA PAPIEZ, Acting Director
Washington State Department of Financial Institutions