

1 **STATE OF WASHINGTON**
2 **DEPARTMENT OF FINANCIAL INSTITUTIONS**
3 **SECURITIES DIVISION**

4 IN THE MATTER OF DETERMINING
5 Whether there has been a violation of the
6 Franchise Investment Protection Act of
7 Washington by:

8 Advanced Mobile IV, LLC

9 Respondent

Order No.: S-23-3535-23-CO01

CONSENT ORDER

10 Pursuant to the Franchise Investment Protection Act of Washington, Chapter 19.100 RCW, the Securities
11 Division and Respondent Advanced Mobile IV, LLC do hereby enter into this Consent Order in settlement of
12 the matters alleged herein. Respondent Advanced Mobile IV, LLC neither admits nor denies the Findings of
13 Fact or Conclusions of Law as stated below.

14 **FINDINGS OF FACT**

15 Respondent

16 1. Advanced Mobile IV, LLC (“Advanced Mobile”) is a Utah limited liability company organized
17 on November 3, 2021. Advanced Mobile maintains a principal place of business in St. George, Utah.

18 Nature of the Conduct

19 *The Franchise*

20 2. Advanced Mobile sells a franchise that enables franchisees to start a business selling and
21 delivering, in customers’ homes, vitamins and other products intravenously that customers believe will help
22 them achieve their health and wellness goals. Franchisees conduct their businesses using Advanced Mobile’s
23 word mark “Advanced Mobile IV.” Franchisees may sell only the products identified by Advanced Mobile,
and they must buy all of their products from Advanced Mobile. Franchisees are required to use Advanced
Mobile’s “system,” which consists of certain specifications, training methods, techniques, products, designs,

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Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

1 and furnishings, among other things. Franchisees are required to pay an initial franchise fee of \$20,000 in
2 two payments of \$10,000 each, as well as five percent of their gross sales to Advanced Mobile. Franchisees
3 are also required to pay Advanced Mobile \$5,000 annually for various training activities.

4 *Sales to Washington Residents*

5 3. In August 2022, Advanced Mobile sold two franchises to Washington residents who intended
6 to operate their franchises in Washington. Advanced Mobile did not provide a franchise disclosure document
7 (“FDD”) to these franchisees prior to their purchase, providing only a spreadsheet that contained the prices of
8 items that franchisees would need to purchase to conduct their business.

9 4. In December 2022, Advanced Mobile entered into a “Termination Agreement” with one of the
10 franchisees which severed the franchisor-franchisee relationship. The agreement provided for the return of
11 the franchisee’s initial payment of \$10,000.

12 *Respondent’s Attempt to register its Franchise*

13 5. On October 21, 2022, Advanced Mobile filed an initial application for registration of its
14 franchise offering with the Securities Division. As part of that application, Advanced Mobile filed an FDD
15 dated October 5, 2022 with the Securities Division. In a list in the FDD entitled “Outlets Sold to Franchisees,”
16 Advanced Mobile did not mention the two franchises sold to Washington residents that took place in August
17 2022.

18 Registration Status

19 6. Respondent Advanced Mobile IV, LLC is not currently registered to sell its franchises in the
20 State of Washington and has not previously been so registered.

1 **CONCLUSIONS OF LAW**

2 Based upon the above Findings of Fact, the Following Conclusions of Law are made:

3 1. The offer and/or sale of franchises described above constitutes the offer and/or sale of a
4 franchise as defined in RCW 19.100.010(6), RCW 19.100.010(12), and RCW 19.100.010(17).

5 2. The offer and/or sale of said franchises is in violation of RCW 19.100.020 because no
6 registration or exemption for such offer and/or sale by Respondent Advanced Mobile IV, LLC was on file
7 with the Securities Administrator at the time of such offer and/or sale.

8 3. The offer and/or sale of said franchises is in violation of RCW 19.100.080, because Respondent
9 Advanced Mobile IV, LLC failed to provide prospective purchasers with a current disclosure document that
10 contained all material information about the franchise prior to their purchases.

11 4. Respondent Advanced Mobile IV, LLC violated RCW 19.100.170(1) because the FDD that
12 Advanced Mobile submitted to the Securities Division in October 2022 did not mention the two sales to
13 Washington residents that took place in August 2022.

14 **CONSENT ORDER**

15 Based upon the foregoing and finding it in the public interest:

16 IT IS AGREED AND ORDERED that Respondent Advanced Mobile IV, LLC, and its agents and
17 employees shall each cease and desist from offering or selling franchises in violation of RCW 19.100.020,
18 the registration section of the Franchise Investment Protection Act of the State of Washington.

19 IT IS FURTHER AGREED AND ORDERED that Respondent Advanced Mobile IV, LLC, and its
20 agents and employees shall each cease and desist from any violation of RCW 19.100.080, the franchise
21 disclosure document section of the Franchise Investment Protection Act of the State of Washington.
22

23 **CONSENT ORDER**

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1 IT IS FURTHER AGREED AND ORDERED that Respondent Advanced Mobile IV, LLC, and its
2 agents, and employees shall each cease and desist from any violation of RCW 19.100.170, the anti-fraud
3 section of the Franchise Investment Protection Act of the State of Washington.

4 IT IS FURTHER AGREED that Respondent Advanced Mobile IV, LLC shall pay a fine of \$1,000
5 prior to the entry of this Consent Order.

6 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Consent Order.

7
8 IT IS FURTHER AGREED that Respondent Advanced Mobile IV, LLC enters into this Consent Order
9 freely and voluntarily, and with a full understanding of its terms and significance.

10 IT IS FURTHER AGREED that in consideration of the foregoing, Respondent Advanced Mobile IV,
11 LLC waives its right to a hearing and to judicial review of this matter.

12
13 Signed this 6th day of April, 2023.

14
15 Signed by: Approved as to form by:
16 Advanced Mobile IV, LLC
17 By: s/Ashley Yardley s/Brad Smith
18 Name: Ashley Yardley Attorney for Respondent
19 Title: owner Bar No.: Utah #12316

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SIGNED and ENTERED this 17th day of April, 2023.



_____/s/_____
William M. Beatty
Securities Administrator

Approved by:

Presented by:

_____/s/_____
Brian J. Guerard
Chief of Enforcement

_____/s/_____
Edward R. Thunen
Financial Legal Examiner

Reviewed by:

_____/s/_____
Huong Lam
Financial Legal Examiner Supervisor