STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

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| In the Matter of:<br><br>Damon L. Clark,<br><br>Respondent. | Docket No. 2007-1449<br>Agency No. 06-688-MB<br>Enforcement Case No. 05-4212 |

Issued and Entered,
This 30th day of June, 2008,
By Peggy L. Bryson,
Acting Chief Deputy Commissioner

CONSENT ORDER OF PROHIBITION PURSUANT TO SECTION 18a OF THE MORTGAGE BROKERS, LENDERS, AND SERVICERS LICENSING ACT

**WHEREAS,** based upon information derived from the exercise of its regulatory responsibilities and a thorough review of pertinent mortgage documents obtained therewith, the Office of Financial and Insurance Regulation ("OFIR") has good cause and reason to believe that DAMON L. CLARK ("CLARK"), former employee and loan officer of New Atlantis Financial Inc. ("NAFI"), a company formerly licensed by the OFIR pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, (OFIR No. FL-2371), was engaged in allegedly fraudulent activity, and that there are, therefore, grounds to initiate an administrative prohibition proceeding against him, pursuant to MCL 445.1668a; and,

**WHEREAS,** the OFIR has served a notice of the charges upon CLARK for which CLARK filed responsive pleadings denying such alleged acts; and,

**WHEREAS**, CLARK desires to cooperate with the OFIR and to avoid the time and expense of such administrative prohibition proceeding; and,

**WHEREAS**, by affixing his signature to the attached VOLUNTARY CONSENT TO ENTRY OF CHIEF DEPUTY COMMISSIONER'S ORDER OF PROHIBITION, incorporated herein by this reference, CLARK has consented, though having expressly denied that such actions or grounds exist in responsive pleadings and without adjudication of the merits and without admitting that such grounds exist, to the issuance of this CONSENT ORDER OF PROHIBITION ("Order") by the chief deputy commissioner of the OFIR with the intent to be legally bound hereby, and has agreed to comply with each and every provision of this Order, and has waived and relinquished any and all rights he may now or hereafter have: (a) to a hearing pursuant to MCL 445.1668a(2) for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (b) to obtain judicial review of this Order or any provision hereof, including, without limitation, any such right provided by MCL 24.301 or otherwise; and (c) to challenge or contest in any matter the basis, issuance, validity, effectiveness, collectibility or enforceability of this Order or any provision hereof.

**NOW THEREFORE**, prior to taking any testimony or adjudication of or finding on any issue of fact or law herein, and without this Order constituting an admission by CLARK of any allegation made or implied by the OFIR in connection with this proceeding, and solely for the purposes of settlement of this proceeding without protracted or extended hearing or testimony:

**IT IS HEREBY ORDERED,** pursuant to Section 18a of the MBLSLA, MCL 445.1668a, that:

1. CLARK is hereby and henceforth prohibited from being employed by, an

agent of, or control person of a licensee or registrant under the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, or a licensee or registrant under a financial licensing act.

2. Any violation of this Order could separately subject CLARK to appropriate criminal penalties under Section 18d of the MBLSLA, MCL 445.1668d.

3. CLARK shall promptly respond to any request from the OFIR for documents, testimony, and other requests for information that the OFIR requests to demonstrate to the satisfaction of the commissioner that CLARK is in full compliance with this Order.

4. The provisions of this Order shall not bar, estop, or otherwise prevent the OFIR or any Federal or state agency or department from taking any other action affecting CLARK, provided, however, that the OFIR shall not take any further action against CLARK relating to the matters alleged or implied in this matter and addressed by this Order.

5. This Order shall be and is effective and enforceable on the date it is issued, as shown in the caption hereof.

6. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended in writing by the commissioner.

**IT IS SO ORDERED.**

**OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**By:** Peggy L. Bryson

**Peggy L. Bryson,**
**Acting Chief Deputy Commissioner**