

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of Financial and Insurance Regulation

In the matter of:

Office of Financial and Insurance Regulation

Petitioner

**Docket No. 12-001384-OFIR
Enforcement Case No. 11-11384
Agency No. 12-884-BT**

v

First International Exchange Group, Inc.,

Respondent.

Issued and entered
this 13th day of November, 2012
by Stephen R. Hilker
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

**I.
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Pursuant to the Michigan Banking Code of 1999 (Code), 1999 PA 276, as amended, MCL 487.11101 *et seq.*, the Office of Financial and Insurance Regulation (OFIR) is responsible for the regulation of banks doing business in the state of Michigan and enforcement of the provisions of the Code.
2. First International Exchange Group, Inc. (Respondent) is not a bank organized pursuant to Sections 3101-3108 of the Code, MCL 487.13101-13108.
3. Respondent is not a domestic bank authorized to commence business in the state of Michigan pursuant to Sections 3101—3108 of the Code, MCL 487.13101-13108.
4. Respondent is not a foreign bank authorized to commence business in the state of Michigan pursuant to Section 5101 of the Code, MCL 487.15101.

5. Respondent is currently operating a business in the state of Michigan.
6. Respondent is operating on the Internet at www.fieginc.com. Respondent previously operated on the Internet at www.atlanticbankinc.com.
7. Respondent's website states that its Michigan branch office location is 32270 Telegraph Road, Suite 285, Bingham Farms, Michigan 48025.
8. Respondent's previous website, www.atlanticbankinc.com, stated that Respondent is a bank.
9. Respondent used the word "bank" in its business name or as a designation in violation of Section 1106 of the Code, MCL 487.11106.
10. Respondent's Chairman, Dhafir Dalaly, admitted in a sworn deposition in 2007 that Atlantic Bank was no longer in existence. Further information indicates that Atlantic Bank's license to operate as a bank in the Republic of Nauru expired by operation of law in 2003.
11. On October 20, 2011, OFIR issued and served upon Respondent, a Notice of Charges and Notice of Hearing, pursuant to Section 2304 of the Code, MCL 487.12304.
12. On November 30, 2011, OFIR issued a Temporary Order to Cease and Desist against Respondent pursuant to Section 3205 of the Code, MCL 487.12305.
13. OFIR subsequently shut down Respondent's website, www.atlanticbankinc.com.
14. Through the Notice of Charges and Temporary Order to Cease and Desist, Respondent was informed that its designation as an affiliate of a bank violates the Code. The Notice of Charges and Temporary Cease and Desist Order indicated that Respondent violated the Code by designating it is an affiliate of a bank.

II. Order

Based on the Findings of Fact and Conclusions of Law above and Respondent's Stipulation, it is **ORDERED** that:

1. Pursuant to Section 2304 of the Code, MCL 487.12304, the Respondent shall CEASE AND DESIST from any act or practice constituting a violation of the Code or any Rules or Orders issued pursuant thereto.
2. Respondent, including but not limited to its Chairman, Dhafir Dalaly, its principals, officers, agents, representatives, and employees, shall not refer to Respondent or represent to the public that Respondent, its subsidiaries or affiliates are in any manner

an affiliate of Atlantic Bank, or an affiliate of any bank or regulated financial institution.

3. Respondent, including but not limited to its Chairman, Dhafir Dalaly, its principals, officers, agents, representatives, and employees, shall not indicate on any forms, communications or correspondence that Respondent, its subsidiaries or affiliates are in any manner an affiliate of a bank or regulated financial institution without express written approval from the Commissioner.
4. Respondent, including but not limited to its Chairman, Dhafir Dalaly, its principals, officers, agents, representatives, and employees, shall not use the word "bank" in Respondent's business name, or any designations or represent to the public in any other manner that it is a bank or affiliated with a bank without express written approval from the Commissioner.
5. This Order shall be and is effective on the date it is issued and entered, as shown in the caption hereof. This Order shall remain in effect until terminated, modified, or set aside in writing by the Commissioner.



Stephen R. Hilker
Chief Deputy Commissioner
Office of Financial and Insurance Regulation

III. STIPULATION

1. Respondent admits to the Findings of Fact and Conclusions of Law set forth in the above Consent Order and agrees that it is in the public interest to comply with the conditions set forth in this Order, and Respondent consents to the issuance of this Order and agrees to be bound by the conditions set forth herein.
2. Dhafir Dalaly agrees to comply with the terms of the Order.
3. The parties have complied with the procedural requirements of the Code.
4. Respondent and Dhafir Dalaly understand and agree that this Stipulation will be presented to the Chief Deputy Commissioner for approval.
5. The Chief Deputy Commissioner may, in his sole discretion, decide to accept or reject the Stipulation. If the Chief Deputy Commissioner accepts the Stipulation, Respondent and Dhafir Dalaly waive the right to a hearing in this matter and consent

to the entry of the Consent Order. If the Chief Deputy Commissioner does not accept the Stipulation, Respondent and Dhafir Dalaly waive any objection to the Commissioner holding a formal hearing and making his decision after such hearing. The failure to abide by the terms and conditions of this Stipulation to Entry of Consent Order and the Consent Order may, at the discretion of the Chief Deputy Commissioner, result in further action.

6. The Chief Deputy Commissioner has jurisdiction and delegated authority under the provisions of the Code to accept the Stipulation and to issue a Consent Order resolving these proceedings.
7. Respondent and Dhafir Dalaly have had an opportunity to review the Stipulation and the proposed Consent Order and have the same reviewed by legal counsel.

First International Exchange Group, Inc.

Dated: 10-19-12



By:
Its:

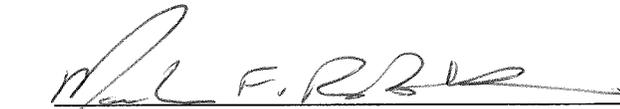
Dated: 10-19-12



Dhafir Dalaly, Individually

The Office of Financial and Insurance Regulation Staff approve this stipulation and recommend that the Chief Deputy Commissioner issue the above Consent Order.

Dated: 11/8/12



Marlon F. Roberts
Staff Attorney