



1 Secretary of State, Corporation Division, was returned to sender  
2 as undeliverable as addressed, and a copy sent by regular mail  
3 to the same address was returned as unclaimed.

4 None of the respondents made a written request for a  
5 hearing in this matter, and the time to do so has expired.

6 NOW THEREFORE, after consideration of the Division's files  
7 concerning Hawkeye Financial Group, Inc., the Director hereby  
8 issues the following Findings of Fact, Conclusions of Law, and  
9 Final Order:

10 **FINDINGS OF FACT**

11 The Director **FINDS** that:

12 1. On or about August 21, 2006, Hawkeye Financial Group,  
13 Inc. (hereinafter, "Hawkeye") registered as a domestic business  
14 corporation with the Oregon Secretary of State, Corporation  
15 Division. Hawkeye's principal place of business was 4305 River  
16 Road North, Suite A-A, Keizer, Oregon, 97303. Hawkeye's mailing  
17 address was 3760 Market Street NE, Suite 251, Salem, Oregon,  
18 97301.

19 2. James Carl Johnson (hereinafter, "Johnson") was the  
20 president, registered agent, and an incorporator of Hawkeye.

21 3. Danny Michael Lewitzke (hereinafter, "Lewitzke") was  
22 the treasurer and also an incorporator of Hawkeye.

23 4. On or about October 20, 2006, Johnson filed a  
24 Collection Agency Application for Registration with the  
25 Department of Consumer and Business Services (hereinafter,  
26 "DCBS"). The application listed Hawkeye as the name of the

Division of Finance and Corporate Securities  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387





1 collection agency, and it listed Johnson as the president of  
2 Hawkeye and the agent for service of process. The application  
3 listed Johnson and Lewitzke as owners, partners, or corporate  
4 officers; individuals who manage or supervise the collection  
5 and/or repossession activities; and individuals who solicit or  
6 collect claims.

7 5. On or about November 8, 2006, Johnson and Lewitzke  
8 filed a request with DCBS to withdraw Hawkeye's application to  
9 register as a collection agency in Oregon.

10 6. At all times material to this Order, Johnson, Lewitzke  
11 and Hawkeye (hereinafter, "the Respondents") were not registered  
12 as a collection agency with DCBS.

13 7. Beginning no later than September 2006 and continuing  
14 until approximately March 2007, the Respondents conducted  
15 collection activity from Oregon on behalf of at least five  
16 clients, including but not limited to the following creditors:  
17 (1) The Lynch Company, located in Portland, OR; (2) Malibu  
18 Technologies, Inc., located in Checterfield, MI; (3) Edgar  
19 Vallareal Construction, located in Mission, TX; (4) Alfredo's  
20 Cabinet Shop & More, located in Mission, TX; and (5) Bee  
21 International Inc., located in Chula Vista, CA.

22 8. The Respondents collected funds from one or more  
23 Oregon accounts placed with Hawkeye, for claims owed or due to  
24 other people, and subsequently failed to timely report and pay  
25 to one or more customers the net proceeds due and payable of all  
26 collections made.



1 has clientele in 50 states and many foreign countries; (3)  
2 Hawkeye has a network of more than 150 collections attorneys;  
3 (4) Hawkeye has been chasing credit criminals since 1973; and  
4 (5) Hawkeye has a network of investigators. All five of those  
5 representations were false.

6 14. The Respondents failed to inform creditors, including  
7 but not limited to The Lynch Company, Malibu Technologies, Inc.,  
8 Edgar Vallareal Construction, Alfredo's Cabinet Shop & More, and  
9 Bee International Inc., that Hawkeye was not registered with  
10 DCBS to operate as a collection agency in Oregon.

11 15. The Respondents failed to inform one or more debtors,  
12 including but not limited to Eutek Systems, that Hawkeye was not  
13 registered with DCBS to operate as a collection agency in  
14 Oregon.

#### 15 CONCLUSION OF LAW

16 The Director **CONCLUDES**:

17 1. The Respondents operated a collection agency in Oregon  
18 without registering with DCBS, in violation of ORS 697.015.

19 2. While operating a collection agency in Oregon without  
20 the required registration, the Respondents charged or received  
21 fees or compensation on moneys received or collected, in  
22 violation of ORS 697.091(1).

23 3. The Respondents failed to timely report and pay to one  
24 or more customers the net proceeds due and payable of all  
25 collections made, in violation of ORS 697.058(6).

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1 in Oregon without the required registration, in violation of ORS  
2 697.091(1).

3 c. Failing to timely report and pay to its customers  
4 the net proceeds due and payable of all collections made, in  
5 violation of ORS 697.058(6);

6 d. Using a false, deceptive, or misleading  
7 representation or means in connection with the collection of a  
8 debt, in violation of OAR 441-810-0240; and

9 e. Violating any provision of Oregon Revised Statutes  
10 Chapter 697 or Oregon Administrative Rules Chapter 441, Division  
11 810.

12 2. Pursuant to the authority of ORS 697.095 and OAR 441-  
13 810-0140, the DIRECTOR hereby **ASSESSES a CIVIL PENALTY** in the  
14 amount of \$13,400 (thirteen thousand, four hundred dollars)  
15 against the Respondents, jointly and severally, for violations  
16 of ORS 697.015 (1 count X \$400 and 4 counts X \$1,000);  
17 697.091(1) (1 count X \$1,000); ORS 697.058(6) (1 count X \$1,000);  
18 and OAR 441-810-0240 (7 counts X \$1,000).

19 The entry of this Order in no way limits further remedies  
20 which may be available to the Director under Oregon law.

21 Dated this 11<sup>th</sup> day of September, 2008 at Salem,  
22 Oregon, **NUNC PRO TUNC** July 10, 2008.

23 CORY STREISINGER, Director  
24 Department of Consumer and Business Services

25   
26 David Tatman, Administrator  
Division of Finance and Corporate Securities



**RIGHT TO JUDICIAL REVIEW**

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You have the right to appeal this Order to the Oregon Court of Appeals pursuant to ORS 183.482. To appeal you must file a petition for judicial review with the Court of Appeals within 60 days from the day this Order was served on you. If this Order was personally delivered to you, the date of service is the day you received the Order. If this Order was mailed to you, the date of service is the day it was mailed, not the day you received it. If you do not file a petition for judicial review within the 60-day time period, you will lose your right to appeal.

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