

STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
DIVISION OF FINANCIAL REGULATION

In the Matter of:

Case No. S-23-0042

WWW.EXNOWAPP.VIP and JAMES  
YEH,

Respondents.

FINAL ORDER TO CEASE AND  
DESIST, FINAL ORDER DENYING  
THE USE OF EXEMPTIONS, AND  
FINAL ORDER ASSESSING CIVIL  
PENALTIES, ENTERED BY DEFAULT

On August 31, 2023, the Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), by and through the Division of Financial Regulation (“Division”), served an Order to Cease and Desist, Proposed Order Denying the Use of Exemptions, and Proposed Order to Assess Civil Penalties (“Notice”) on www.exnowapp.vip (“ExNow”) and James Yeh (“Yeh”) (collectively, “Respondents”).

The Notice offered Respondents an opportunity for a hearing if requested within 20 days of service of the Notice. The Notice further informed Respondents that if a hearing was not conducted because Respondents did not timely request a hearing or otherwise defaulted, then the designated portion of the Division’s file and all materials submitted by Respondents in this case would automatically become part of the contested case record for the purpose of proving a prima facie case.

The Director did not receive from Respondents a request for a hearing and did not conduct a hearing.

FINDINGS OF FACT

The Director FINDS that:

1. ExNow, at the time of the transactions described herein, was an entity that purported to be an online blockchain digital asset trading platform. ExNow may be served through its domain registrar Namecheap, Inc. (“Namecheap”), located at 4600 E.

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350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387





1 Washington St., Suite 305, Phoenix, AZ 85034 via legal@namecheap.com.

2 2. Yeh is the owner of ExNow and thousands of similar trading websites. Yeh may  
3 be served through Namecheap.

4 3. In or around 2022, an individual identifying himself as “Li Jieyu” (“Jieyu”)  
5 contacted an Oregon resident (“DC”) via the social media application “Facebook  
6 Messenger” and the two developed a friendship.

7 4. Jieyu eventually represented himself as being affiliated with ExNow and  
8 solicited DC to invest in cryptocurrency via ExNow’s platform. Jieyu assured DC he  
9 would not lose his investment and would make a significant profit.

10 5. Jieyu advised and instructed DC to create a cryptocurrency wallet, fund it from  
11 his personal banking account, and convert the funds to the cryptocurrency “Ethereum.”  
12 Jieyu sent DC a link to ExNow’s platform and directed him to register an account and begin  
13 trading digital assets.

14 6. From on or around October 3, 2022 through October 19, 2022, DC invested  
15 approximately \$13,000 in cryptocurrencies through the ExNow platform. Around this  
16 time, the portal falsely indicated that DC’s investment had grown to over \$400,000 in  
17 value.

18 7. Shortly thereafter, DC attempted to withdraw some of the purported earnings  
19 from his ExNow account. His request was denied, and he received a notification that he  
20 had to pay approximately \$40,000 in taxes or would lose his earnings and investment.  
21 Shortly thereafter, DC transferred approximately \$37,000 to ExNow.

22 8. DC made a second attempt to withdraw some of his purported earnings. His  
23 request was denied and he received a notification that he had to pay an additional \$29,919  
24 in “certification fees.”

25 9. Around this time, Jieyu threatened to sue DC if he didn’t pay the balance of  
26 outstanding taxes and fees. DC received additional messages from ExNow threatening to

1 damage his credit, freeze his ExNow account, and/or clear the account funds.

2 10. In total, DC transferred \$75,311.90 to ExNow through its portal. To date, DC  
3 has been unable to recover any of these funds.

4 11. In November 2022, DC submitted a complaint against ExNow to the Division.  
5 The Division initiated an investigation and determined that ExNow was not a legitimate  
6 cryptocurrency exchange platform.

7 12. ExNow’s website and trading platform are no longer active.

8 13. The Division subpoenaed NameCheap and discovered that, from in or around  
9 July 2022 through September 2022, Yeh purchased 1,276 additional domains for the  
10 purpose of perpetuating cryptocurrency schemes similar to the one at issue.

11 14. At no time have Respondents held an Oregon broker-dealer license.  
12 Respondents have not registered any securities with the Division and/or any federal agency.

13 CONCLUSIONS OF LAW

14 The Director CONCLUDES that:

15 15. Under ORS 59.015(19)(a), “security” means a note, stock, evidence of  
16 indebtedness, investment contract, or, in general, any interest or instrument commonly  
17 known as a “security.”

18 16. The investments in ExNow made by DC constitute securities under ORS  
19 59.015(19)(a), as those investments are investment contracts.

20 17. Under ORS 59.055, it is unlawful for any person to offer or sell any security in  
21 this state unless the security is registered, the security is exempt from registration, or the  
22 security is a federal covered security.

23 18. By selling securities that were not registered or exempt from registration, and  
24 were not federal covered securities, Respondents violated ORS 59.055.

25 19. Under ORS 59.015(1), “broker-dealer” means a person who engages, all or part  
26 of the time, in effecting transactions in securities for the account of others or for the

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1 person's on account.

2 20. ExNow acted as a "broker-dealer" when it purported to trade in  
3 cryptocurrencies on DC's behalf.

4 21. Under ORS 59.165(1), it is unlawful for any person to transact business in this  
5 state as a broker-dealer unless the person is licensed under the Oregon Securities Law.

6 22. By transacting business in this state as a broker-dealer without being licensed  
7 under the Oregon Securities Law, Respondents violated ORS 59.165(1).

8 23. Under ORS 59.135(1), it is unlawful for any person, directly or indirectly, in  
9 connection with the purchase or sale of any security to employ any device, scheme or  
10 artifice to defraud.

11 24. Respondents violated ORS 59.135(1) by soliciting DC to invest in a fictitious  
12 cryptocurrency exchange, providing him with false information that suggested an  
13 exponential return on his investment, and leveraging that false information to demand  
14 funds for fictitious taxes and fees under the threat of financial and legal repercussions.

15 25. Because the Director has reason to believe that Respondents have engaged, are  
16 engaging, or are about to engage in violations of the Oregon Securities Law, the Director  
17 may issue an order to Respondents to cease and desist from violations of the Oregon  
18 Securities Law under ORS 59.245(4).

19 26. Because the Director has reason to believe that Respondents have engaged in  
20 or are about to engage in violations of the Oregon Securities Law, or that the use of any  
21 exemption by Respondents have would work a fraud or imposition on purchasers, the  
22 Director may deny Respondents the use of exemptions pursuant to ORS 59.045(2).

23 27. Under ORS 59.995(1)(a), any person who violates or who procures, aids, or  
24 abets the violation of ORS 59.005 to 59.505, 59.710 to 59.830, 59.991 and 59.995, or any  
25 rule or order of the Director shall be subject to a penalty of not more than \$20,000 for every  
26 violation, which shall be paid to the General Fund of the State Treasury.

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ORDERS

Now therefore, the Director issues the following ORDERS:

28. Pursuant to ORS 59.245(4), the Director hereby ORDERS Respondents to CEASE AND DESIST from violating any provision of the Oregon Securities Law.

29. Pursuant to ORS 59.045(2), the Director hereby DENIES Respondents the use of exemptions that might otherwise be available under ORS 59.025 and ORS 59.035 concerning securities and transactions exempt from the registration requirements of the Oregon Securities Law.

30. Pursuant to the authority of ORS 59.995(1), the Director hereby ORDERS that \$20,000 in CIVIL PENALTIES be jointly and severally assessed against Respondents for violating ORS 59.055, ORS 59.165(1), and ORS 59.135(1).

SO ORDERED this 28<sup>th</sup> day of September, 2023.

ANDREW R. STOLFI, Director  
Department of Consumer and Business Services

/s/ Dorothy Bean  
Dorothy Bean, Chief of Enforcement  
Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

You are entitled to judicial review of this order in accordance with ORS 183.482.  
You may request judicial review by filing a petition with the Court of Appeals in Salem,  
Oregon, within 60 days from the date this order is served.

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