



1 **FINDINGS OF FACT**

2 The Director **FINDS** that:

3 **Part One: Respondents**

4 1. **GLOBAL RECOVERY** was an Oregon for-profit corporation (State of Oregon  
5 Business Registry #291230-98), incorporated on May 31, 2005 by Casey **YARBROUGH**, its  
6 sole shareholder. The corporation's last known address is 3760 Market Street, N.E., Suite 114,  
7 Salem, Oregon 97301.

8 2. **YARBROUGH** served as the President, Secretary, and Treasurer of **GLOBAL**  
9 **RECOVERY**. Yarbrough's last known address is 715 West Hills Way, Salem, Oregon 97304.

10 3. **YARBROUGH** regularly employed the alias "Casey Cooke" in connection with his  
11 activities on behalf of **GLOBAL RECOVERY**. Yarbrough held Cooke out to be a "National  
12 Account Representative" for Global Recovery. Prior to forming Global Recovery, Yarbrough  
13 submitted two separate Oregon collection agency registration applications to the Division (MCO  
14 Group, dated October 3, 2003; Federal Summit Financial, dated August 30, 2004) in which he  
15 listed "Casey Cooke" as his stage name for the purpose of collection activities. (A "stage name"  
16 is a name collection agency employees use to protect their true identity when interacting with  
17 debtors.)

18 4. **GLOBAL RECOVERY** has never been registered with the Division as a collection  
19 agency, and was not authorized to conduct collection activities in or from this state.

20 **Part Two: Global Recovery is not registered as a collection agency**

21 5. **YARBROUGH** submitted an Oregon collection agency registration application for  
22 **GLOBAL RECOVERY** to the Division on June 24, 2005.

23 6. As part of its pre-registration process, Division staff met with **YARBROUGH** on  
24 July 1, 2005. During that meeting, Yarbrough represented that he had not engaged in any  
25 collection activities under the name of **GLOBAL RECOVERY**.

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1           7. As part of the pre-registration process, **YARBROUGH** submitted a notarized letter to  
2 the Division on September 19, 2005 in which he wrote: "*I, Casey J. Yarbrough have not on*  
3 *behalf of myself or any other entity performed "collection activity", as defined by ORS 697.005,*  
4 *since my departure from Federal Financial Summit, Inc on February 4, 2005."*

5           8. The Director denied **GLOBAL RECOVERY**'s application for collection agency  
6 registration by Order on November 16, 2005.

7           9. **YARBROUGH** filed a written request for a hearing on the Director's Order on  
8 November 21, 2005.

9           10. Several weeks before a hearing on **GLOBAL RECOVERY**'s application for  
10 collection agency registration was to take place, **YARBROUGH**'s attorney sent the Division a  
11 letter in which he represented that Yarbrough wished to abandon his application. The Director  
12 entered an Order Permitting Abandonment of Global Recovery's application on June 15, 2006.

13           11. After further inquiry and investigation, the Director has learned that from June 2005  
14 to at least May 2006 **GLOBAL RECOVERY** and **YARBROUGH** solicited collection  
15 accounts, contacted debtors, processed payments, and received commissions for collection  
16 activity from its Salem, Oregon office without being registered.

17                   **Part Three: Casey Yarbrough's unregistered collection agency activity**

18           12. **GLOBAL RECOVERY** used a "Retention Agreement", a contract that described  
19 and governed the relationship it had with clients, with some, but not all, of the creditors it  
20 represented while unregistered. In this document, Global Recovery explicitly identified itself as  
21 an Oregon corporation, and used its Salem, Oregon address. Furthermore, the Retention  
22 agreement provided that "*the laws of Oregon shall govern the validity, construction,*  
23 *interpretation, and effect of this agreement.*"

24           13. **GLOBAL RECOVERY** conducted collection activity on behalf of Hollar & Greene  
25 Produce, a Boone, North Carolina company. **YARBROUGH** personally solicited this  
26 company's business.

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1           14. **GLOBAL RECOVERY** initiated collection activity against Pirollo Transport, a  
2 Cheswick, Pennsylvania company that owed Hollar & Greene \$5,858.32. Pirollo Transport  
3 remitted \$1,142 to Global Recovery on July 8, 2005 (Check #2146), and sent \$1,350 to Global  
4 Recovery on July 15, 2005 (Check #2147). Although Global Recovery was contractually  
5 obligated to remit 75% of proceeds (\$1,869) to its creditor client, it only remitted 50% of the  
6 amounts it collected (\$1,246). Global Recovery retained the remaining proceeds as its  
7 compensation.

8           15. **GLOBAL RECOVERY** conducted collection activity on behalf of Arrowhead  
9 Conveyor Corporation, an Oshkosh, Wisconsin company. **YARBROUGH** personally solicited  
10 this company's business.

11           16. **GLOBAL RECOVERY** initiated collection activity against ANI Pharmaceuticals, a  
12 Gulfport, Mississippi company that owed Arrowhead Conveyor Corporation \$4,603, in August  
13 2005. ANI Pharmaceuticals remitted \$4,603 to Global Recovery on August 23, 2005 (Check  
14 #13963). Global Recovery remitted \$3,070 to its creditor client. Global Recovery retained the  
15 remaining proceeds as its compensation.

16           17. **GLOBAL RECOVERY** initiated collection activity against Hacienda Wine Cellar,  
17 a/k/a Bronco Wine Company, a Ceres, California company that owed Arrowhead Conveyor  
18 Corporation \$6,827, in August 2005. ANI Pharmaceuticals remitted \$6,827 to Global Recovery  
19 on August 23, 2005 (Check #13963). Global Recovery remitted \$4,554 to its creditor client.  
20 Global Recovery retained the remaining proceeds as its compensation.

21           18. **GLOBAL RECOVERY** initiated collection activity against American Purpac  
22 Technologies, LLC, a Beloit, Wisconsin company that owed Arrowhead Conveyor Corporation  
23 \$4,007, in September 2005. American Purpac remitted \$1,300 to Global Recovery on November  
24 18, 2005 (Check #6204). Global Recovery remitted \$867 to its creditor client. Global Recovery  
25 retained the remaining proceeds as its compensation.

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1           **19. GLOBAL RECOVERY** conducted collection activity on behalf of BestLink  
2 Transportation Services, Inc., a Vancouver, British Columbia company. **YARBROUGH**  
3 personally solicited this company's business.

4           **20. GLOBAL RECOVERY** initiated collection activity against Kimia Distribution, a  
5 Burnaby, British Columbia company that owed BestLink an unknown sum. Kimia Distribution  
6 remitted \$239.30 to Global Recovery on October 11, 2005 (Check #116). On information and  
7 belief, Global Recovery did not remit any portion of this sum to its creditor client.

8           **21. GLOBAL RECOVERY** conducted collection activity on behalf of Berry & Smith  
9 Trucking, a Penticton, British Columbia company. **YARBROUGH** personally solicited this  
10 company's business.

11           **22. GLOBAL RECOVERY** initiated collection activity against Comprehensive Traffic  
12 Systems, a Wheatridge, Colorado company that owed Berry & Smith Trucking an unknown sum.  
13 Comprehensive Traffic Systems remitted \$200 to Global Recovery on November 9, 2005 (Check  
14 #5330). On information and belief, Global Recovery did not remit any portion of this sum to its  
15 creditor client.

16           **23. GLOBAL RECOVERY** conducted collection activity on behalf of Trans-System,  
17 Inc., a Spokane, Washington company. **YARBROUGH** personally solicited this company's  
18 business.

19           **24. GLOBAL RECOVERY** initiated collection activity against Q Systems, Inc., a Delta,  
20 Utah company that owed Trans-System, Inc. \$4,000, in December 2005. Q Systems, Inc.  
21 remitted \$100 to Global Recovery on May 25, 2006 (Check #3151). On information and belief,  
22 Global Recovery did not remit any portion of this sum to its creditor client.

23           **25. GLOBAL RECOVERY** initiated collection activity against Primrose Homes Inc., a  
24 Troutdale, Oregon company that owed Trans-System, Inc. \$1,320, in December 2005. Primrose  
25 Homes Inc. remitted \$1,320 to Global Recovery on January 13, 2006 (Check #2570). Global  
26

1 Recovery remitted \$880.44 to its creditor client. Global Recovery retained the remaining  
2 proceeds as its compensation.

3 26. **GLOBAL RECOVERY** conducted collection activity on behalf of OIA Global/  
4 Yoshida Group, a Portland, Oregon company. **YARBROUGH** personally solicited this  
5 company's business.

6 27. **GLOBAL RECOVERY** initiated collection activity against Pacific Shores  
7 International, Inc., a West Linn, Oregon company that owed OIA Global/ Yoshida Group an  
8 unknown sum, in December 2005. Pacific Shores International, Inc. remitted \$600 to Global  
9 Recovery on January 13, 2006 (Check #2527) and \$682.36 to Global Recovery on January 24,  
10 2006 (Check #2528). On February 1, 2006 Global Recovery remitted \$858 to its creditor client.  
11 Global Recovery retained the remaining proceeds as its compensation.

12 28. **GLOBAL RECOVERY** conducted collection activity on behalf of the San Francisco  
13 Chronicle newspaper. **YARBROUGH** personally solicited this entity's business.

14 29. **GLOBAL RECOVERY** initiated collection activity against Revitalize the Back,  
15 Inc., a San Mateo, California company that owed the San Francisco Chronicle an unknown sum,  
16 in December 2005. Revitalize the Back, Inc. made arrangements to make monthly payments of  
17 \$1,000 to Global Recovery to satisfy its obligations. Revitalize the Back, Inc. remitted \$1,000 to  
18 Global Recovery on January 19, 2006 (Check #1782). On February 1, 2006 Global Recovery  
19 remitted \$780 to its creditor client. Global Recovery retained the remaining proceeds as its  
20 compensation. Additionally, Revitalize the Back, Inc. remitted \$1,000 to Global Recovery on  
21 February 26, 2006. On March 17, 2006 Global Recovery remitted \$780 to its creditor client.  
22 Global Recovery retained the remaining proceeds as its compensation.

23 30. Revitalize the Back, Inc. had difficulty making additional payments. On or after May  
24 1, 2006 **YARBROUGH** telephoned third party references listed on the company's website to  
25 inform them that Revitalize the Back, Inc. was not meeting its financial obligations and to  
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1 otherwise disparage Revitalize the Back. Yarbrough engaged in this conduct in an effort to  
2 coerce the struggling company to make payments to Global Recovery.

3 31. **GLOBAL RECOVERY** conducted collection activity on behalf of Sunfire  
4 Corporation, a Snohomish, Washington company. **YARBROUGH** personally solicited this  
5 company's business.

6 32. **GLOBAL RECOVERY** initiated collection activity against Automated Home  
7 Technologies, LLC, a Brentwood, Tennessee company that owed Sunfire Corporation \$1,596, in  
8 April 2006. Automated Home Technologies remitted \$1,596 to Global Recovery on May 24,  
9 2006 (Check #5893).

10 33. Respondents failed to inform creditors Hollar & Green Produce, Arrowhead  
11 Conveyor Corporation, BestLink Transportation Services, Inc., Berry & Smith Trucking, Trans-  
12 System, Inc., OIA Global/Yoshida Group the San Francisco Chronicle, and Sunfire Corporation,  
13 orally or in writing, that **GLOBAL RECOVERY** was not registered with the Director to operate  
14 as a collection agency in Oregon.

15 34. Respondents failed to inform debtors Pirollo Transport, ANI Pharmaceuticals,  
16 Hacienda Wine Cellar a/k/a Bronco Wine Company, American Purpac Technologies, Kimia  
17 Distribution, Comprehensive Traffic Systems, Q Systems, Inc., Primrose Homes, Inc., Pacific  
18 Shores International, Inc., Revitalize the Back, Inc., and Automated Home Technologies orally  
19 or in writing, that **GLOBAL RECOVERY** was not registered with the Director to operate as a  
20 collection agency in Oregon.

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## 21 CONCLUSIONS OF LAW

22 The Director **CONCLUDES** that:

23 35. Respondents operated a collection agency, as defined by ORS 697.005 (1) (a), in  
24 Oregon without being registered with the Director, in violation of ORS 697.015.

25 36. Respondents retained a portion of funds collected from debtors, whether in the form  
26 of fees, commissions, or other compensation, in violation of ORS 697.091 (3).

1 37. Respondents used a false, deceptive, or misleading representation or means in  
2 connection with the collection of a debt, in violation of OAR 441-810-0240, by failing to inform  
3 creditors Hollar & Green Produce, Arrowhead Conveyor Corporation, BestLink Transportation  
4 Services, Inc., Berry & Smith Trucking, Trans-System, Inc., OIA Global/Yoshida Group the San  
5 Francisco Chronicle, and Sunfire Corporation that **GLOBAL RECOVERY** was not registered  
6 with the Director to operate as a collection agency in Oregon.

7 38. Respondents used a false, deceptive, or misleading representation or means in  
8 connection with the collection of a debt, in violation of OAR 441-810-0240, by failing to inform  
9 debtors Pirolo Transport, ANI Pharmaceuticals, Hacienda Wine Cellar a/k/a Bronco Wine  
10 Company, American Purpac Technologies, Kimia Distribution, Comprehensive Traffic Systems,  
11 Q Systems, Inc., Primrose Homes, Inc., Pacific Shores International, Inc., Revitalize the Back,  
12 Inc., and Automated Home Technologies that that **GLOBAL RECOVERY** was not registered  
13 with the Director to operate as a collection agency in Oregon.

14 **ORDER**

15 Therefore, the Director **ORDERS:**

16 39. That Respondents shall, pursuant to the authority contained in ORS 697.093 (1) (d)  
17 **(A), CEASE AND DESIST FROM OPERATING A COLLECTION AGENCY** in or from  
18 Oregon.

19 40. That Respondents shall, pursuant to the authority contained in ORS 697.093 (1) (d)  
20 **(A), CEASE AND DESIST FROM THE RETENTION OF ALL FUNDS COLLECTED**  
21 **FROM DEBTORS, WHETHER AS FEES, COMMISSIONS, OR OTHER**  
22 **COMPENSATION**, and shall return all such moneys to the appropriate creditors no later than  
23 **TEN DAYS (10)** after entry of this Order.

24 41. That Respondents are, pursuant to the authority contained in ORS 697.095 (1),  
25 ordered, jointly and severally, to pay the sum of **ONE THOUSAND DOLLARS (\$1,000)** as a  
26 civil penalty for each violation of ORS 697.015 described herein, for a total civil penalty of

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1 **ELEVEN THOUSAND DOLLARS** (\$11,000). Of this sum, **ONE THOUSAND DOLLARS**  
2 (\$1,000.00) shall be tendered on or before August 1, 2008; additional payments of **ONE**  
3 **THOUSAND DOLLARS** (\$1,000.00) shall be tendered on the first calendar day of each month  
4 thereafter until the entire **ELEVEN THOUSAND DOLLAR** (\$11,000) civil penalty has been  
5 paid in full. (Although Respondents will be afforded a three (3) day grace period, time shall  
6 otherwise be deemed to be of the essence. In the event Respondents violate the Oregon  
7 Collection Agency Law, its accompanying administrative rules, or the terms of this Order –  
8 including the obligation to make timely payments under this paragraph - the entire **ELEVEN**  
9 **THOUSAND DOLLAR** (\$11,000) civil penalty shall become immediately due and owing).

10 42. That Respondents are, pursuant to the authority contained in ORS 697.095 (1) and  
11 OAR 441-810-0140, ordered, jointly and severally, to pay the sum of **FOUR HUNDRED**  
12 **DOLLARS** (\$400) as a civil penalty for the first violation of OAR 441-810-0240 and **ONE**  
13 **THOUSAND DOLLARS** (\$1,000.00) as a civil penalty for each addition violation, for a total  
14 civil penalty of **EIGHTEEN THOUSAND DOLLARS FOUR HUNDRED DOLLARS**  
15 (\$18,400). The entirety of said penalty shall be **SUSPENDED** for a period of **FIVE (5) YEARS**,  
16 so long as Respondents do not engage in any violation of the Oregon Collection Agency Law, its  
17 accompanying administrative rules, or the terms of this Order, at which time said civil penalty  
18 shall be **WAIVED**. In the event Respondents violate the Oregon Collection Agency Law, its  
19 accompanying administrative rules, or the terms of this Order the entire **EIGHTEEN**  
20 **THOUSAND DOLLARS FOUR HUNDRED DOLLARS** (\$18,400) sum shall become  
21 immediately due and owing.


22 43. That Respondents are **BARRED** from obtaining any license issued by the Oregon  
23 Department of Consumer and Business Services. Furthermore, Respondents are **BARRED** from  
24 collecting, or attempting to collect, any debt from an Oregon resident, regardless of whether they  
25 are licensed or otherwise permitted to act as a collection agency in the jurisdiction from which  
26 they are engaging in collection activity.

1 IT IS SO ORDERED.

2 Dated this 2<sup>nd</sup> day of JUNE 2008 *nunc pro tunc* August 27, 2007 at Salem, Oregon.

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CORY STREISINGER, Director  
Department of Consumer and Business Services



David C. Tatman, Administrator  
Division Of Finance And Corporate Securities

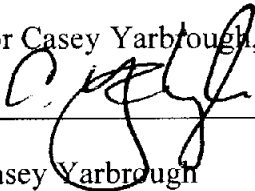
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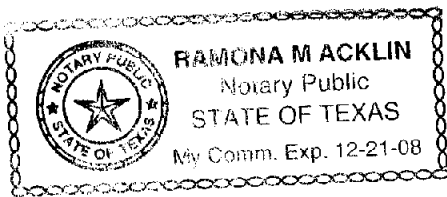
1 **CONSENT TO ENTRY OF ORDER**

2 Respondents state: that they have read the foregoing Order and fully understand the  
3 contents thereof; that they have been advised of the right to a hearing and of the right to be  
4 represented by counsel in this matter; that they, voluntarily, and without any force or duress,  
5 consent to the entry of this Order, expressly waiving any right to a hearing in this matter; that the  
6 Order contains the complete agreement of the parties; that no additional promises or assurances  
7 have been made to Respondents by the Division with respect to matters covered by the Order;  
8 that they understand that this Consent Order is a public document; and that they will fully  
9 comply with the terms and conditions stated herein.

10  
11 For Casey Yarbrough, Individually:

12   
13 Casey Yarbrough

14 Dated this 12 day of May, 2008.



17 RAMONA M. ACKLIN  
18 (Printed Name of Notary Public)  
19 Notary Public Ramona M. Acklin  
20 for the State of: TEXAS  
21 My commission expires: 12-21-08

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22 For Global Recovery Systems, Inc.:



24 I, Casey Yarbrough represent that I am President of  
25 Global Recovery Systems, Inc. and that, as such, have been authorized by Global Recovery  
26 Systems, Inc. to enter into this Order for and on behalf of Global Recovery Systems, Inc.

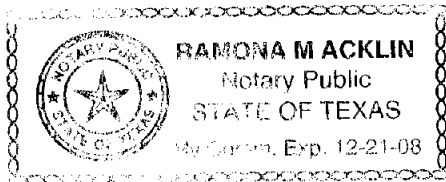
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1 Dated this 12 day of May, 2008.

2 Global Recovery Systems, Inc.

3 By: [Signature]

4 Title: President



Ramona M. Acklin  
(Printed Name of Notary Public)  
Notary Public [Signature]  
for the State of: TEXAS  
My commission expires: 12-21-08

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