

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of

Case No. ID-14-0034

TORVIC COMPANY,

FINAL ORDER TO CEASE AND
DESIST, FINAL ORDER ASSESSING
CIVIL PENALTY AND CONSENT TO
ENTRY OF ORDER

Respondent.

The Director of the Department of Consumer and Business Services for the State of Oregon (“the Director”) has conducted an investigation of certain activities conducted by Respondent Torvic Company (Torvic”) and has determined that Torvic violated provisions of the Oregon Consumer Identity Theft Protection Act, ORS 646A.600 to 646A.628 (“Identity Theft law”).

Torvic has cooperated with the Director’s investigation and does not wish to expend additional time or incur additional costs in connection with litigating this matter.

Torvic neither admits nor denies the findings and conclusions herein, but wishes to resolve this matter with the Director.

Now, as evidenced by the authorized signatures subscribed on this Consent Order, Respondent Torvic hereby CONSENTS to entry of this Order to Cease and Desist and other sanctions upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter.

I. FINDINGS OF FACT

The Director finds:

1. Torvic Company (“Torvic”) is an Oregon domestic business corporation with a principal place of business located, according to the Oregon Secretary of State, in Springfield, Oregon. The president and secretary of Torvic is Steven T. Victor. At all





1 times relevant to this matter, Torvic operated a Little Caesars Pizza (“LCP”) store located
2 at 5757 Commercial Street SE #100, Salem Oregon.

3 2. In the operation of its LCP business, Torvic solicited for new employees.
4 When new employees applied for positions with LCP, they submitted paper employment
5 applications. As part of these applications, some of the applicants provided their names
6 and Social Security numbers as well as other information.

7 3. The individual hereafter identified as “BP” was at all time relevant to this
8 matter an Oregon resident. BP is a truck driver and deliveryman who provides services to
9 another business located in the same business mall on South Commercial Street as the
10 LCP store operated by Torvic. On or about April 9, 2014, BP had made a delivery and
11 was recycling cardboard and discarding trash in or near the shopping mall’s dumpsters. In
12 doing so BP discovered papers lying on top of the trash in or near one of the dumpsters.
13 The papers were approximately 92 unique employment applications for the South Salem
14 LCP. At the time BP found the applications, none of the dumpsters were locked.

15 4. Approximately 79 of the employment applications found by BP bore the
16 applicant’s name, address, telephone number, background information and Social
17 Security number as well as other information. In addition to the applications, the
18 recovered documents contained some miscellaneous documents such as cash register
19 receipts and order slips.

20 5. Torvic was provided with copies of the 92 unique applications on April 22,
21 2014. Respondent discarded, caused to be discarded or failed to safeguard approximately
22 92 unique employment applications and approximately 79 listed personal information
23 including applicant names, addresses and unredacted Social Security numbers.

24 25 II. CONCLUSIONS OF LAW

26 The Director concludes:



1 ORS 646A.620 , or Oregon Administrative Rules Chapter 441-646-0030 and 441-646-
2 0040, for five years after the effective date of this Order.

3 12. Respondent represents that it issued written breach notification letters
4 consistent with the requirements of ORS 646A.604(5) to all individuals whose
5 applications were discarded and included a Social Security number.

6 13. At the signing of this Order, Respondent will pay \$5,000 (five thousand
7 dollars) to the Department of Consumer and Business Services (“Department”) as a
8 CIVIL PENALTY for the violations described herein.

9 14. If the Respondent complies with all of the terms and conditions set out in this
10 Consent Order and commits no violations of the Oregon Identity Theft law during the
11 five-year period after the effective date of this Order, the Director WAIVES the
12 collection of the suspended CIVIL PENALTY assessed herein.

13
14 IV. AUTHORITY OF THE DIRECTOR TO ISSUE A DEFAULT ORDER
AND/OR TO SEEK FURTHER REMEDIES UNDER OREGON LAW

15 15. This Order is a “Final Order” under ORS 183.310(6)(b). It not subject to
16 judicial review under ORS chapter 183. Subject to ORS 183.310(6)(b), the entry of this
17 Order does not limit other remedies that are available to the Director under Oregon Law
18 to enforce this Consent Order, for violations of this Consent Order, for conduct or actions
19 of the Respondent that are not covered by this Consent Order, or against any party not
20 covered by this Consent Order.

21 IT IS SO ORDERED.

22 Dated this 30th day of October, 2014.

23 PATRICK M. ALLEN, Director
24 Department of Consumer and Business Services

25 /s/ David Tatman
26 David C. Tatman, Administrator
Division of Finance and Corporate Securities

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CONSENT TO ENTRY OF ORDER BY TORVIC COMPANY

I, Steven T. Victor, state that I am the president of Torvic Company (“Torvic”) and that I am authorized to act on its behalf; that I have read this Consent Order and that I know and fully understand the contents hereof; that Torvic has been advised of the right to a hearing; that Torvic voluntarily and without any force or duress, and without admitting or denying the findings and conclusions herein, consents to the entry of this Consent Order, expressly waiving any right to a hearing in this matter; and that Torvic will fully comply with the terms and conditions of this Consent Order.

Torvic understands that this Consent Order is a public document.

TORVIC COMPANY

By: /s/ Steven T. Victor
Steven T. Victor

Position held: Owner

State of Oregon

County of Lane

Signed or attested before me on this 24th day of October,
2014 by Steven T. Victor.

/s/ Jamie M. Prince
Notary Public

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