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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING

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PA DEPT OF BANKING

COMMONWEALTH OF  
PENNSYLVANIA DEPARTMENT OF  
BANKING, BUREAU OF COMPLIANCE,  
INVESTIGATION AND LICENSING,

Petitioner,

v.

SELLING SOURCE, LLC d/b/a  
MONEY MUTUAL,

Respondent.

Docket No.: 100286 (ENF-C&D)

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania acting through the Department of Banking ("Department") Bureau of Compliance, Investigation and Licensing ("Bureau") enters into this Consent Agreement and Order ("Order") with Selling Source, LLC and PartnerWeekly, LLC, a subsidiary of Selling Source, to resolve all issues arising from an Order issued by the Bureau on December 3, 2010, Docket No. 100286 (ENF-C&D).

In the Order, the Bureau asserts that Selling Source, LLC violated the Consumer Discount Company Act ("CDCA"), 7 P.S. §6201, *et. seq.* and the Loan Interest Protection Law ("LIPL"), 41 P.S. §101, *et. seq.* Selling Source, LLC and PartnerWeekly, LLC deny that they violated the CDCA and the LIPL as set forth in the Bureau's Order, deny that the Department has jurisdiction over their activities and admit to no wrongdoing. The parties to the above-captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in settlement of the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order ("Order").

## BACKGROUND

1. The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the CDCA and LIPL.
2. The Bureau is primarily responsible for administering and enforcing the CDCA and LIPL.
3. Selling Source, LLC ("Selling Source"), a Delaware limited liability company with its principal place of business in Las Vegas, Nevada, is a holding company that owns other legal entities that engage in Internet marketing including technology and analytical services to customers in a wide variety of industries.
4. One of the legal entities owned by Selling Source is PartnerWeekly, LLC ("PartnerWeekly"), a Nevada company also with its principal place of business in Las Vegas.
5. PartnerWeekly is engaged in the business of marketing and generating Internet leads for sale to lenders (also referred to as "customers").
6. PartnerWeekly generates leads for sale to lenders through its website located at [www.moneymutual.com](http://www.moneymutual.com) (the "Website").
7. On December 3, 2010, the Bureau issued the Order against Selling Source asserting that it violated Section 3.B of the CDCA, 7 P.S. § 6203.B, and Section 201(a) of the LIPL, 41 P.S. § 201(a).
8. Section 3.B of the CDCA provides that,  
  
Any person who shall hold himself out as willing or able to arrange for or negotiate such loans of twenty-five thousand dollars (\$25,000), or less where the interest, discount, bonus, fees, fines, commissions or other considerations in the aggregate exceeds the interest that the lender would otherwise be permitted by law to charge or who solicits prospective borrowers of such loans . . . shall be deemed to be engaged in the business contemplated by this act.

9. Section 201(a) of the LIPL provides, in relevant part that, "the maximum lawful rate of interest for the loan or use of money in an amount of fifty thousand dollars (\$50,000) or less . . . shall be six per cent per annum." 41 P.S. § 201(a).

10. Thus, the Department requires any person who shall "hold himself out as willing or able to arrange for" or who "solicits prospective borrowers" that are Pennsylvania residents to obtain loans that meet the parameters of the CDCA and LIPL be licensed as a consumer discount company in Pennsylvania.

11. The Bureau averred in its December 3rd Order that Selling Source engaged in unlicensed activity by assisting lenders to make payday loans to Pennsylvania residents through its marketing and internet activities; the lenders that Selling Source assisted were not licensed in Pennsylvania as consumer discount companies and charged in excess of 6% for the loans made to Pennsylvania residents.

12. Upon notice of the December 3, 2010 Order, Selling Source immediately contacted the Bureau to cooperate in its investigation and amicably resolve any open questions concerning PartnerWeekly's activities and the nature of its business.

13. Selling Source and PartnerWeekly contend that neither Selling Source nor PartnerWeekly has any significant contacts with the Commonwealth of Pennsylvania.

14. Selling Source and PartnerWeekly deny any violation of either the CDCA or the LIPL and admit no wrongdoing.

15. Selling Source and PartnerWeekly contend that there is no basis for jurisdiction over them in the Commonwealth of Pennsylvania and that the CDCA and LIPL cannot be enforced against them consistent with the requirements of the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania.

16. In lieu of going to a hearing on the matter, the parties have agreed to resolve this matter amicably.

17. By agreeing to this Order, Selling Source and its subsidiary PartnerWeekly do not admit to violating any Pennsylvania law or to any wrongdoing; rather Selling Source and PartnerWeekly seek to cooperate with the Department and, to demonstrate good faith, agree to comply with the terms set forth below.

18. This Order resolves all issues involved in the *Commonwealth of Pennsylvania, Department of Banking, Bureau of Compliance, Investigation and Licensing v. Selling Source, LLC d/b/a Money Mutual*, Docket No. 100286 (ENF-C&D).

#### RELIEF

19. Penalty. PartnerWeekly agrees to pay the Department \$40,000.00 to cover, *inter alia*, the costs of the Department's investigation and commencement of this litigation. The payment shall be due and payable to the Department within 30 days of the Effective Date of this Order as defined in Paragraph 26. The payment shall be remitted by certified check or money order made payable to the Pennsylvania Department of Banking and forwarded to 17 N. Second Street, Suite 1300, Harrisburg, PA 17103.

20. Corrective Action.

- (a) Prohibit Advertisements to Pennsylvania Residents. PartnerWeekly will block Pennsylvania residents from accessing the Website. Furthermore, PartnerWeekly will not specifically target Pennsylvania residents in its advertisements.
- (b) Disclaimers. PartnerWeekly will certify that the Website and print advertisements have a clear and prominent caveat that explicitly states its products are not available to Pennsylvania residents, and its television advertisements will have a clear and prominent caveat that explicitly states its products will not be available in all states.
- (c) Letter to Customers. PartnerWeekly, by way of letter, will notify its existing customers as of the date of this Order that leads from

Pennsylvania residents will not be provided. Further, PartnerWeekly will notify its prospective customers that it cannot provide leads to Pennsylvania residents.

- (d) Certification. PartnerWeekly will certify to the Department when letters to the existing customers pursuant to Subparagraph(c) have been sent. PartnerWeekly will disclose to the Department the number of letters sent to its customers.

#### FURTHER PROVISIONS

21. Consent and Jurisdiction. Selling Source and PartnerWeekly hereby knowingly, willingly, voluntarily and irrevocably consent to the entry of this Order, and agree that they understand all of the terms and conditions contained herein. Selling Source and PartnerWeekly take the position that they are not subject to jurisdiction in Pennsylvania and nothing in this Order shall be construed as an admission to the contrary. Selling Source and PartnerWeekly, however, acknowledge that they are subject to jurisdiction in Pennsylvania for the sole purpose of enforcing this Order, if necessary. Moreover, Selling Source and PartnerWeekly, by voluntarily entering into this Order, waive any right to hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

22. Publication and Release. The Department will publish this Order pursuant to its authority pursuant to its authority in Section 302.A(5) of the Department of Banking Code. 71 P.S. § 733-302.A.(5).

23. Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the parties.

24. Binding Nature. The Department, Selling Source and PartnerWeekly intend to be and are legally bound by the terms of this Order.

25. Counsel. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

26. Effectiveness. Selling Source and PartnerWeekly stipulate and agree that this Order shall become effective on the date that the Bureau executes the Order.

27. Other Enforcement Action.

(a) The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against Selling Source and PartnerWeekly in the future regarding all matters not resolved by this Order.

(b) Selling Source and PartnerWeekly acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department or office regarding matters within this Order.

28. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

29. Counterparts. This Order may be executed in separate counterparts and by facsimile or email.

30. Titles. The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Commonwealth of Pennsylvania, Department of Banking, Bureau of Compliance, Investigation and Licensing and Selling Source, LLC and PartnerWeekly, LLC do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF  
PENNSYLVANIA DEPARTMENT OF  
BANKING, BUREAU OF COMPLIANCE,  
INVESTIGATION AND LICENSING**

**SELLING SOURCE, LLC  
PARTNERWEEKLY, LLC**

By: \_\_\_\_\_  
Ryan Walsh, Administrator  
Bureau of Compliance, Investigation and  
Licensing  
Department of Banking

By: \_\_\_\_\_  
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Dated: February 18, 2011

Dated: 2/18/2011