BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

FILED
JUN 29 2015
STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA, ex rel, DEPARTMENT OF CONSUMER CREDIT	)	
Petitioner	)	
v.	)	Case No. 15-0107-DIS
FLEXWORX, LLC.	)	
Respondent	)	

CONSENT ORDER

The Petitioner, State of Oklahoma, ex rel., Department of Consumer Credit ("Petitioner") and the Respondent, Flexworx, LLC, enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. The Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) The Petitioner restates and incorporates by reference herein the allegations made by the Petitioner in the Emergency Order and Notice of Hearing filed in this matter on May 21, 2015 as follows:

ALLEGATIONS OF FACT

1. The Respondent is a domestic limited liability company in the State of Oklahoma; inactive Oklahoma Secretary of State registration number 3512046478.

2. The Respondent transacts business as a health spa at the following locations in the State of Oklahoma (referred to in this Emergency Order and Notice of Hearing as "locations of the Respondent"):

(a) 300 W. Cherokee, Lindsay, Oklahoma 73502;

(b) 222 W. Main, Marlow, Oklahoma 73055;

(c) 407 6th Street, Maysville, Oklahoma 73057;

(d) 207 W. Main, Purcell, Oklahoma 73080

3. The Respondent was previously registered as a health spa in the State of Oklahoma at the locations of the Respondent.

4. The health spa registrations for the locations of the Respondent expired on December 31, 2014.

5. On March 30, 2015, Geromy Briscoe, a Consumer Credit Examiner for the Petitioner, visited the locations of the Respondent at 300 W. Cherokee, Lindsay, Oklahoma 73502 and 222 W. Main, Marlow, Oklahoma 73055 and confirmed that the business locations were open and engaged and/or offering to engage in health spa services.

6. On March 30, 2015, Geromy Briscoe spoke with the owner of the Respondent, Todd Parker, who confirmed to Mr. Briscoe that the locations of the Respondent were open for business and engaged in activity that required health spa registrations.

7. On April 1, 2015, the Petitioner received health spa registration renewal applications for the locations of the Respondent.

8. The Petitioner submitted a letter to the Respondent dated April 13, 2015, informing the Respondent that since the health spa registrations of the Respondent had expired on December 31, 2014, new health spa registration applications were required to be submitted to the Petitioner with additional registration fees. The April 13, 2015 letter included four (4) health spa registration applications to be completed by the Respondent and submitted to the Petitioner along with the additional registration fees.

9. The April 13, 2015 letter was submitted to the Respondent via certified mail, return receipt requested, and was received by the Respondent on April 14, 2015.

10. As of May 19, 2015, the Respondent is not registered as a health spa in the State of Oklahoma at the locations of the Respondent.

11. As of May 19, 2015, the Petitioner has not received the completed health spa registrations for the

locations of the Respondent and has not received the additional health spa registration fees required to be submitted to the Petitioner.

12. Since the Respondent has failed to register as a health spa and is engaging and/or offering to engage as a health spa in the State of Oklahoma, the public health, safety and welfare imperatively requires emergency action ordering the Respondent to cease and desist from engaging in the business of a health spa in the State of Oklahoma pending the final outcome of this individual proceeding.

ALLEGED VIOLATIONS OF LAW

1. The Respondent has violated 59 O.S. § 2002(A) by offering or advertising health spa services without first being registered as a health spa with the Administrator.

2. The Respondent has violated 59 O.S. § 2009(F) by offering to engage or engaging as a health spa without a health spa registration.

(2) The Petitioner received health spa applications and additional fees for the locations of the Respondent on May 27, 2015.

(3) As of June 4, 2015, the health spa applications for the locations of the Respondent are complete.

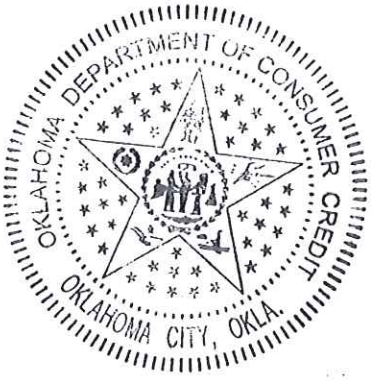
(4) The Respondent does not admit to the allegations made by the Petitioner in the Emergency Order and Notice of Hearing filed in this matter on May 21, 2015 and incorporated by reference in paragraph one (1) this Consent Order.

(5) The Respondent agrees to pay a civil penalty in the amount of One Thousand Dollars ($1,000.00).

(6) The One Thousand Dollar ($1,000.00) civil penalty payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 15-0107-DIS, shall be addressed to the attention of Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112 and shall be received by the Petitioner on or before 8:30 a.m., June 5, 2015.

(7) A file stamped copy of this Consent Order will be returned by United States mail to the Respondent upon signature of the Administrator of Consumer Credit or the Deputy Administrator.

(8) If the Respondent fails to comply with the terms of this Consent Order, the Administrator of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 59 O.S. § 2009(G) of the Oklahoma Health Spa Act.



Scott Lesher
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 6/10/15

Todd Parker
Flexworx, LLC.

Dated: 6/5/15

VERIFICATION OF CONSENT ORDER, CASE NUMBER 15-0107-DIS

STATE OF)
)
COUNTY OF)

Signed and sworn to (or affirmed) before me on June 5th, 2015 by

TODD Parker of Flexworx, LLC.

Affiant

(Seal, if any)

Notary Public

My commission expires:
5/21/2019