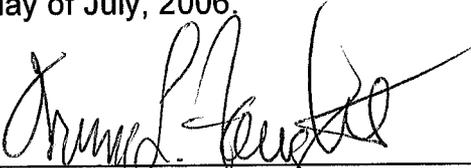


5. That this Affidavit is declared filed of record as of the date set forth below in compliance with Section 818 of the Act.

FURTHER AFFIANT SAYETH NOT.

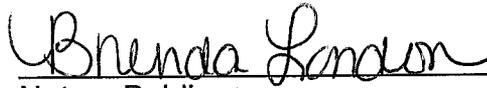
Dated this 12th day of July, 2006.

(SEAL)



IRVING L. FAUGHT, ADMINISTRATOR OF THE
OKLAHOMA DEPARTMENT OF SECURITIES

Subscribed and sworn to before me this 12th day of July, 2006.



Notary Public

My Commission Expires:
My Commission No.:
(SEAL)

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Twin Peaks Gourmet Coffee, Inc.,
Dan Gallagher, Brian Boyd, Garret Stone,
and Nation Wide Locators,

Respondents.

ODS File No. 06-111

NOTICE OF OPPORTUNITY FOR HEARING

1. Pursuant to his authority under Section 813 of the Oklahoma Business Opportunity Sales Act (Act), Okla. Stat. tit. 71, §§ 801-829 (2001), the Administrator of the Oklahoma Department of Securities (Department) authorized an investigation into the activities of Twin Peaks Gourmet Coffee, Inc., Dan Gallagher, Brian Boyd, Garret Stone, and Nation Wide Locators, in connection with the offer, sale, and/or purchase of business opportunities in and/or from Oklahoma.

2. On the 11th day of July, 2006, the attached Enforcement Division Recommendation (Recommendation) was left in the office of the Administrator.

3. Pursuant to Section 814.B of the Act, the Administrator hereby gives notice to Respondents of their right to request a hearing to show why an order based on the Recommendation should not be issued.

4. The request for a hearing on the Recommendation must be received by the Administrator within fifteen (15) days after service of this Notice. Pursuant to Section 814.B of the Act, failure to request a hearing as provided for herein shall result in the issuance of an order against Respondents to cease and desist from the offer and sale of business opportunities in violation of Sections 806 and 819 of the Act.

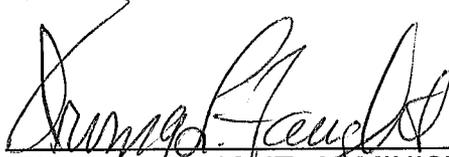
5. The request for hearing shall be in writing and Respondents shall specifically admit or deny each allegation made in the Recommendation as required by 660:2-9-1(c) of the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities (Rules).

6. Upon receipt of a written request, pursuant to 660:2-9-2 of the Rules, a hearing on this Notice shall be set within sixty (60) days or a written order denying hearing shall be issued.

7. Notice of the date, time, and location of the hearing shall be given to Respondents not less than ten (10) days in advance thereof pursuant to 660:2-9-3(a) of the Rules. Additionally, the notice may contain matters to supplement this Notice and the Recommendation attached hereto.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 12th day of July, 2006.

(SEAL)



IRVING L. FAUGHT, ADMINISTRATOR OF THE
OKLAHOMA DEPARTMENT OF SECURITIES

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 12th day of July, 2006, a true and correct copy of the above and foregoing Notice of Opportunity for Hearing and attached Enforcement Division Recommendation was mailed by certified mail, return receipt requested, delivery restricted, with postage prepaid thereon, addressed to:

Twin Peaks Gourment Coffee, Inc.
123 N. College Avenue, Suite 200
Fort Collins, CO 80542

Brian Boyd
123 N. College Avenue, Suite 200
Fort Collins, CO 80542

Twin Peaks Gourment Coffee, Inc.
2053 NW 79th Avenue, Suite 220
Doral, FL 33122

Brian Boyd
2053 NW 79th Avenue, Suite 220
Doral, FL 33122

Brian Newman, Registered Agent
Twin Peaks Gourment Coffee, Inc.
2053 NW 79th Avenue, Suite 220
Doral, FL 33122

Nation Wide Locators
123 N. College Avenue, Suite 200
Fort Collins, CO 80542

Dan Gallagher
123 N. College Avenue, Suite 200
Fort Collins, CO 80542

Nation Wide Locators
2053 NW 79th Avenue, Suite 220
Doral, FL 33122

Dan Gallagher
2053 NW 79th Avenue, Suite 220
Doral, FL 33122

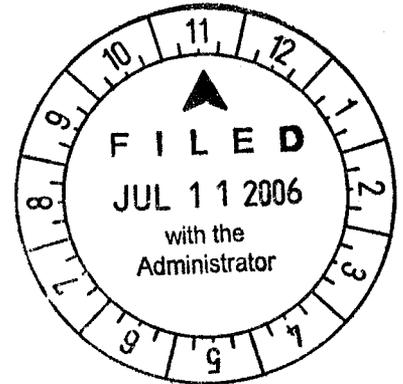
Garret Stone
123 N. College Avenue, Suite 200
Fort Collins, CO 80542

Garret Stone
2053 NW 79th Avenue, Suite 220
Doral, FL 33122



Brenda London
Paralegal

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Twin Peaks Gourmet Coffee, Inc.,
Dan Gallagher, Brian Boyd, Garret Stone,
and Nation Wide Locators,

Respondents.

ODS File No. 06-111

ENFORCEMENT DIVISION RECOMMENDATION

Pursuant to the Oklahoma Business Opportunity Sales Act (Act), Okla. Stat. tit. 71, §§ 801-829 (2001), an investigation was conducted into the activities of Twin Peaks Gourmet Coffee, Inc. (Twin Peaks), Dan Gallagher (Gallagher), Brian Boyd (Boyd), Garret Stone (Stone), and Nation Wide Locators (Nation Wide) (collectively, the "Respondents") in connection with the offer and/or sale of a business opportunity in and/or from Oklahoma. Based thereon, the following Findings of Fact, Authorities and Conclusions of Law are submitted to the Administrator, or his designee, in support of the issuance of an order to cease and desist against Respondents.

Findings of Fact

1. Twin Peaks, a Florida corporation, is represented to be located at 123 North College Avenue, Suite 200, Fort Collins, Colorado. Twin Peaks represents that it is in the business of selling gourmet coffee distributorships.
2. Gallagher is a sales agent for Twin Peaks.
3. Boyd is a sales agent for Twin Peaks.
4. Stone is a sales agent for Nation Wide.
5. Nation Wide is represented to be a company affiliated with Twin Peaks that provides locations for the placement of Twin Peaks display racks.
6. During January 2006, W. Brown (Brown), an Oklahoma resident, saw a newspaper advertisement in the classified ad section of the *Daily Oklahoman*. The advertisement, seeking distributors for Twin Peaks gourmet coffee products, contained a toll free telephone number.

7. Brown called the toll free telephone number and spoke to Gallagher, Boyd, and Stone. Brown was told that Twin Peaks and Nation Wide were located in Fort Collins, Colorado. Brown was further told he could purchase 25 display racks along with gourmet coffee necessary to fill the display racks for \$34,000. Brown would be required to pay \$3,800 to Nation Wide for placement of display racks in various retail locations that Nation Wide had already secured in Oklahoma City, Oklahoma. According to Gallagher, Boyd, and Stone, the 25 display racks would generate a minimum annual income of \$86,000.

8. On or about January 27, 2006, Brown signed a distributor agreement with Twin Peaks and Nation Wide. The contract was signed by Stinson Hass (Hass), president of Twin Peaks, and by Stone on behalf of Nation Wide. On or about January 31, 2006, Brown wired a deposit of \$18,900 to Twin Peaks. On or about February 8, 2006, Brown sent \$15,000 to Twin Peaks. The funds were wired to Wachovia Bank in Miami, Florida.

9. On March 8, 2006, Brown received the Twin Peaks coffee. On March 14, 2006, Stone advised Brown that he did not have time to provide him with locations for his display racks.

10. The distributor agreement described above is not registered under the Act.

11. Respondents omitted to disclose the following facts in connection with the offer and sale of the distributorship to Brown:

- (a) that the gourmet coffee distributor agreements are not registered under the Act; and
- (b) that the address used by Twin Peaks is the address for a business center that provides mail and answering services for many different businesses.

12. Respondents made the following untrue statements of material facts in connection with the offer and sale of the distributorship to Brown:

- (a) that Twin Peaks is located in Fort Collins, Colorado when in fact, Twin Peaks is not located in Fort Collins, Colorado;
- (b) that Stinson Hass is the president of Twin Peaks when in fact, Stinson Hass is not affiliated with Twin Peaks;
- (c) that Nation Wide would guarantee performance for the display racks purchased by distributor when in fact, Nation Wide did not guarantee performance of the display racks and did not secure any locations for Brown; and

- (d) that Nation Wide had already secured locations in Oklahoma City, Oklahoma when in fact, Nation Wide had not secured any locations.

Authorities

1. Section 802 of the Act provides in pertinent part:

* * *

3.a. "*Business opportunity*" means a contract or agreement, between a seller and purchaser, express or implied, orally or in writing, wherein it is agreed that the seller or a person recommended by the seller shall provide to the purchaser any products, equipment, supplies or services enabling the purchaser to start a business and the seller represents directly or indirectly, orally or in writing, that:

* * *

(3) The seller or a person recommended by the seller will provide or assist the purchaser in finding locations for the use or operation of vending machines, racks, display cases or other similar devices, on premises neither owned nor leased by the purchaser or seller[.]

* * *

7. "*Offer*" or "*offer to sell*" includes every attempt to dispose of a business opportunity for value or solicitation of an offer to purchase a business opportunity.

* * *

11. "*Sale*" or "*sell*" includes every contract or agreement of sale, contract to sell, disposition of a business opportunity or interest in a business opportunity for value.

2. Section 806 of the Act provides:

It is unlawful for any person to offer or sell any business opportunity, as defined in Section 802 of this title, in this state unless the business opportunity is registered under the provisions of the Oklahoma Business Opportunity Sales Act or is exempt under Section 803 of this title.

3. Section 814 of the Act provides in pertinent part:

A. Whenever it appears to the Administrator that any person has engaged in or is about to engage in any act or practice constituting a violation of any provision of the Oklahoma Business Opportunity Sales Act or any rule or order hereunder, the Administrator may:

1. Issue an order directing each person to cease and desist from continuing the act or practice and/or issue an order imposing a civil penalty up to a maximum of Five Thousand Dollars (\$5,000.00) for a single violation or transaction or of Fifty Thousand Dollars (\$50,000.00) for multiple violations or transactions in a single proceeding or a series of related proceedings[.]

4. Section 818 of the Act provides in pertinent part:

A. The provisions of the Oklahoma Business Opportunity Sales Act concerning sales and offers to sell apply to persons who sell or offer to sell when:

1. An offer to sell is made in this state;
2. An offer to purchase is made and accepted in this state; or
3. The purchaser is domiciled in this state and the business opportunity is or will be operated in this state.

5. Section 819 of the Act provides:

It is unlawful for any person, in connection with the offer or sale of any business opportunity in this state, directly or indirectly:

* * *

2. To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or

3. To engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

Conclusions of Law

1. The distributorship agreement offered and sold by Respondents is a business opportunity.

2. Respondents offered and sold a business opportunity in and/or from the state of Oklahoma.

3. The offer and sale of the business opportunity by Respondents in this state without registration of the business opportunity under the Act is a violation of Section 806 of the Act.

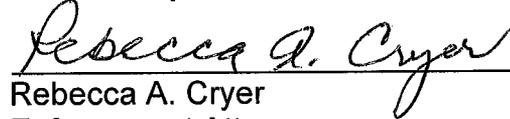
4. Respondents made untrue statements of material fact and omitted to state material facts in connection with the offer and sale of a business opportunity in this state in violation of Section 819 of the Act.

5. Respondents engaged in acts and practices that operated as a fraud or deceit in connection with the offer and sale of a business opportunity in this state in violation of Section 819 of the Act.

WHEREFORE, it is recommended that the Administrator issue an order against Respondents to cease and desist the offer and sale of business opportunities in and/or from this state in violation of Sections 806 and 819 of the Act.

Dated this 11th day of July, 2006.

Respectfully Submitted,



Rebecca A. Cryer
Enforcement Attorney
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102