

DEPARTMENT OF LABOR,
LICENSING AND REGULATION

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v.

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CASE NO.: SPMG-09-0001

ERIC M. BUTLER, t/a
The Gold Movement, LLC,

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Respondent

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CONSENT ORDER

This matter comes before the Maryland Department of Labor, Licensing and Regulation (“Department”) based on a complaint filed by the Montgomery County Police Department. Based on that complaint, the Department determined that administrative charges against Eric M. Butler (“Respondent”) were appropriate and that a hearing on those charges should be held. However, prior to the hearing, the Department and the Respondent reached an agreement to settle this case. The Department and the Respondent consent to the entry of this Order as final resolution of the regulatory charges in Case No. SPMG-09-0001.

IT IS STIPULATED BY THE PARTIES that:

1. The Respondent is currently licensed (No. 2229) as a secondhand precious metal object dealer (“dealer”), as defined in Section 12-101(b) of the Business Regulation Article of the Maryland Annotated Code.
2. The name of the company through which the Respondent acquires secondhand precious metal objects is/has been The Gold Movement, LLC.

3. From August 31 through September 4, 2008, the Respondent held an event in Montgomery County, Maryland, at which he acquired secondhand precious metal objects.

4. The fixed business address, as defined in Section 12-101(d) of the Business Regulation Article, which the Respondent provided to the Department of Labor, Licensing and Regulation was 7274 Cradlerock Way, Columbia, Maryland.

5. The fixed business address of 7274 Cradlerock Way was the address set forth in a lease dated July 15, 2008 signed by the Respondent.

6. The address of 7274 Cradlerock Way had been mistyped in the lease; the address which should have been included in the lease was 7272 Cradlerock Way, Columbia, Maryland.

7. The lease was for an interior office in a suite of business offices.

8. The Respondent paid rent for the space for four months beginning July 15, 2008.

9. The envelopes the Respondent used containing transaction, or daily return, forms showed a return address of 7274 Cradlerock Way.

10. The Respondent did not use 7272 or 7274 Cradlerock Way as his fixed business address.

11. When the Respondent applied for a dealer's license in Maryland, he did not provide a different address (other than 7274 Cradlerock Way) at which precious metal objects would be stored.

12. The Respondent did not store precious metal objects at 7272 or 7274 Cradlerock Way.

13. The Respondent did store precious metal objects, acquired at the above-referenced event, at 501 Hermleigh Road, Silver Spring, Maryland, his parents' house.

14. The Respondent did not seek approval from the Department and/or the Montgomery County Police Department to store objects at 501 Hermleigh Road.

15. The Respondent agrees to provide the Department with a copy of a signed lease for a fixed business address, should he decide to return to Maryland to transact business as a "dealer."

16. The Respondent agrees to provide the Department with evidence of payment of the deposit and/or the first month's rent for that lease.

17. The Respondent agrees to notify the Department that he intends to return to Maryland to transact business as a "dealer."

18. The Respondent agrees to notify the Department what location he intends to use as a storage location for objects acquired.

19. The Respondent agrees to notify the appropriate law enforcement agencies of his intent to return to Maryland to transact business as a "dealer" and to notify those agencies what location he intends to use as a storage location for objects acquired.

20. If the Respondent chooses to store objects at a location other than his fixed business address, the Respondent agrees that the other location to be used for storage must comply with Section 12-202(c)(3) of the Business Regulation Article.

21. The Respondent agrees to provide the documentation and notifications described in Stipulations 15-19 not less than fifteen calendar days prior to the date on which he will return to Maryland to transact business as a "dealer."

22. By entering this Consent Order, the Respondent expressly waives his right to any hearing or further proceedings to which he may be entitled in this matter and any rights to appeal from the Consent Order.

23. The Respondent enters this Consent Order freely, knowingly, and voluntarily, and with the advice of counsel.

24. The Respondent agrees to comply with the requirements of Section 12-101 *et seq.* of the Business Regulation Article, Maryland Annotated Code, and the Code of Maryland Regulations 09.25.01.01 *et seq.*

BASED ON THESE STIPULATIONS, IT IS, THIS 14th day of July, 2009, BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

ORDERED that Respondent Eric M. Butler has violated Maryland Annotated Code, Business Regulation Article, §12-305; and it is further

ORDERED that the Respondent is assessed a total civil penalty of \$2,500.00 for that violation, which amount is payable to the Department within 30 days of the date this Consent Order is executed by the Department, and it is further

ORDERED that, if payment of that civil penalty is not made within that 30-day period, the Respondent's license as a "dealer" shall be automatically suspended until payment is made, and it is further

~~ORDERED~~ that the Department's records and publications shall include this Consent Order.

RESPONDENT'S SIGNATURE
APPEARS ON ORIGINAL ORDER



DEPUTY SECRETARY'S SIGNATURE
APPEARS ON ORIGINAL ORDER

DEPARTMENT OF LABOR, LICENSING
& REGULATION

7-2-09
Date