

STATE OF FLORIDA
DEPARTMENT OF LEGAL AFFAIRS
OFFICE OF THE ATTORNEY GENERAL

IN THE MATTER OF:

TRENT AARON SILVER, an individual
d/b/a PRESTIGE BULLION DIRECT, LLC,
PRESTIGE GOLD BUYERS, GOLDSTER,
NATIONAL BULLION SERVICES, and
SILVER CAPITAL GROUP.

AG Case No. L-11-3-1064

Respondent.

ASSURANCE OF VOLUNTARY COMPLIANCE

PURSUANT TO the provisions of Chapter 501, Part II, Florida Statutes, the Florida Deceptive and Unfair Trade Practices Act, the STATE OF FLORIDA, DEPARTMENT OF LEGAL AFFAIRS, OFFICE OF THE ATTORNEY GENERAL, hereinafter referred to as the “Department,” caused an investigation to be made into the business practices of TRENT AARON SILVER, an individual who has conducted business in the state of Florida under several different names, including PRESTIGE BULLION DIRECT, LLC, PRESTIGE GOLD BUYERS, GOLDSTER, NATIONAL BULLION SERVICES, and SILVER CAPITAL GROUP, that were operated out of his residence and other locations in Tampa, Florida, hereinafter referred to as Respondent.

IT APPEARS THAT Respondent is prepared to enter into this Assurance of Voluntary Compliance, hereinafter “AVC,” without an admission that Respondent has violated the law and for the purpose of resolution of this matter with the Department, and the Department, by and through the undersigned Assistant Attorney General, and the undersigned Director, Economic Crimes Division, being in agreement, does in this matter accept this AVC in termination of this

investigation, pursuant to Section 501.207(6), Florida Statutes, and by virtue of the authority vested in the Department by said statute.

I. STIPULATED FACTS

1.1 During the approximate time frame June 2010 to August 2011, Respondent engaged in the business of offering money in exchange for consumers' gold and silver. Respondent offered consumers a method to send their gold to Respondent for the purpose of Respondent then assessing the value of the consumers' metals, and subsequently sending the consumers payment in exchange for their metals. At all times relevant to this matter, Respondent maintained the necessary registration with the Florida Department of Revenue, pursuant to Chapter 538, Part III, Florida Statutes.

1.2 The Department has investigated allegations that the Respondent has violated provisions of Section 501.204, Florida Statutes, which prohibits unconscionable acts or practices and unfair or deceptive acts or practices in the conduct of any trade or commerce, and Section 538.32, Florida Statutes, which requires mail-in secondhand precious metals dealers to keep records of every transaction.

1.3 Respondent and the Department desire to resolve all issues arising during the course of this investigation.

1.4 This AVC is based upon the stipulated facts set forth above. The Department shall not be estopped from taking further action in this matter should the facts described herein be shown to be incorrect in any material way, or the AVC not be complied with in full.

1.5 This AVC in no way limits the liability of the Respondent individually to consumers for any amounts paid that were not refunded or for any damages caused by Respondent.

II. TERMS

2.1 Respondent voluntarily ceased accepting new customers and closed its operations in September 2011. Respondent will not make use of the names PRESTIGE BULLION DIRECT, LLC, PRESTIGE GOLD BUYERS, GOLDSTER, or NATIONAL BULLION SERVICES, either in conjunction with one another or used separately, for any purpose related to the exchange of consumers' metal products for payment, except in reference to its existing prior customers.

2.2 Respondent and its representatives, agents, employees, successors, assigns or any other person who acts under, by, through, or on behalf of Respondent, directly or indirectly, or through any corporate or other device, shall comply with the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes and Chapter 538, Part III, Florida Statutes. Effective as of the date of this AVC, Respondent will not operate any mail-in secondhand precious metals business whose activities are regulated by Chapter 538, Part III, Florida Statutes.

2.3 For a period of one (1) year from the date of execution of this AVC, Respondent shall make the terms and conditions of this AVC known to the Respondent's managers, members, officers, directors, and successors as well as anyone involved in an ownership, or employment capacity in any other business related to offering or paying consumers consideration for metals they submit.

2.4 It is further agreed by the parties that the Respondent shall not affect any change in the form of doing business, or the organizational identity of any of the existing business entities, or create any new business entities, as a method of avoiding the terms and conditions set forth in this AVC.

2.5 Respondent shall cancel the Florida Department of State, Division of Corporations, registration of the of all corporations and/or fictitious names under which he engaged in mail-in secondhand precious metals dealing on or before January 1, 2012 and shall

not reactivate said corporations and/or fictitious names.

2.6 On all websites Respondent previously used to conduct mail-in secondhand precious metals business, Respondent will post the following message until January 1, 2013:

THIS COMPANY HAS AGREED TO CEASE OPERATIONS. PRESTIGE BULLION DIRECT, LLC WILL HONOR REFUND REQUESTS RECEIVED ON OR BEFORE DECEMBER 31, 2012. PLEASE SEND YOUR REFUND REQUEST, ALONG WITH PROOF OF YOUR CLAIM, TO customerservice@goldster.com or Regulatory Compliance Department C/O RHB, 100 West Cypress Creek Road, Suite 700, Fort Lauderdale, FL 33309.

IF YOU HAVE A COMPLAINT, PLEASE VISIT: <http://myfloridalegal.com/Contact.nsf/Contact>

On the aforementioned websites, Respondent shall have no other text, nor any links to any websites that are not related to this AVC. Respondent will submit an affidavit with this AVC listing all websites he used to conduct mail-in secondhand precious metals business. Respondent will keep the mailing address and email address above active through January 1, 2013.

2.7 Nothing in this AVC shall be construed as a waiver of any private rights of any person or release of any private rights, causes of action, or remedies of any person against the Respondent.

2.8 Respondent shall take all steps necessary to maintain the confidential nature of any and all "personal identification information" obtained from consumers pursuant to section 817.568(1)(f)1-6, Florida Statutes.

2.9 Respondent shall not advertise, market, sell, transfer or dispose of, in any manner, other than as referenced above, lists or documents which contain "personal identification information" relating to the Respondent's customers.

III. CONSUMER RESTITUTION

3.1 Because Respondent failed to keep the records required by Section 538.32, Florida Statutes, determining accurate restitution has been, and will continue to be, a difficult process. Because of this difficulty caused by Respondent's failure to comply with these

recordkeeping requirements, Respondent agrees to resolve all reasonable consumer refund requests in favor of the consumer, including reimbursement for any related returned-check fees, unless he can provide documentation to refute the consumer's claim or demonstrate that the consumer's refund request is unreasonable.

3.2 As of the execution this AVC, Respondent has issued \$56,758.85 in refunds to 944 consumers identified in Exhibit A. This amount may be supplemented or amended by the Department pursuant to this Paragraph to incorporate any additional information obtained as to payments having been paid, received, or owed (as supplemented, the "Restitution Amount"). No payment to the customer is required if the Respondent has previously paid the monies owed to a consumer. Respondent shall provide to the Department a duly sworn and notarized affidavit within 45 days of the date of this AVC attaching a copy of Exhibit A attesting that all such payments reflected in the Restitution Amount were paid in full.

3.3 Respondent agrees to contact all 31 consumers identified in Exhibit B within 90 days to resolve their outstanding complaints. Respondent shall provide to the Department a duly sworn and notarized affidavit within 60 days of the date of this AVC attaching a copy of Exhibit B attesting that all listed consumers have been personally contacted, reasonable efforts have been made to resolve their complaints, and Respondent will make whole any consumers on Exhibit B whose complaints remain unresolved, prior to December 31, 2012. Respondent agrees to reimburse these consumers for all returned-check fees incurred when they attempted to deposit a check previously sent to them by Respondent.

3.4 Respondent agrees to issue full refunds to any additional former customers who sent precious metals to any of the Respondent's businesses but received no payment or an inadequate payment and provide reasonable documentation that the metals were sent, specifying the type and approximate value of the metal or jewelry, to Respondent, if the refund request is

received prior to December 31, 2012.

3.5 On or before January 15, 2013, Respondent shall report any refunds to the Department that are unclaimed or otherwise not refunded as of January 1, 2013 and Respondent will report these customers' claims to the Department of Financial Services as unclaimed property pursuant to the provisions of Chapter 717, Florida Statutes.

IV. STIPULATED PAYMENT

4.1 The parties agree that the Respondent shall pay a total of THIRTY THOUSAND DOLLARS (\$30,000.00) to the State of Florida, Office of the Attorney General, Department of Legal Affairs, pursuant to Section 501.2105, Florida Statutes, in payment of all legal fees, costs and investigative fees regarding this investigation and toward the costs of future investigations. All payments shall be made by cashier's check or other certified funds, made payable to Department of Legal Affairs Revolving Trust Fund, and shall be paid simultaneous with the submission of a partially executed copy of this AVC by Respondents. Time is of the essence as to each payment required under this AVC.

V. CIVIL PENALTY

5.1 IT IS FURTHER AGREED by the parties that Respondent shall pay a penalty of ONE-HUNDRED THOUSAND DOLLARS (\$100,000.00), concurrent with Respondent's execution of this AVC, to the State of Florida for willful violation of the provisions of Chapter 501, Part II, Florida Statutes, the Florida Deceptive and Unfair Trade Practices Act.

5.2 In consideration for the fulfillment of the various obligations set forth above, the payment of the financial penalty is SUSPENDED. However, if the Court finds that Respondent has failed to comply with the requirements of this AVC, this penalty shall become immediately due and owing. In addition, the Attorney General reserves the right to seek penalties pursuant to Florida Statutes, Chapter 501, Part II, for any future violation(s) of the terms contained within

this agreement. The Attorney General reserves the right to seek additional investigative and attorney's fees and costs upon default, as defined herein, or upon any future noncompliance. Respondent agrees to a consent final judgment that includes a FIFTY THOUSAND DOLLARS (\$50,000.00) penalty, and any additional fees and costs awarded by the Court.

VI. BUSINESS RECORDS

6.1 Respondent agrees to retain documents and other information reasonably sufficient to establish compliance with the provisions herein, and shall provide reasonable access to such documents and information to the Department upon request.

VII. ACCEPTANCE

7.1 IT IS HEREBY AGREED by the parties that this AVC shall become effective upon its acceptance by the Director, Economic Crimes Division, who may refuse to accept it at his discretion. The receipt of or deposit by the Department of any monies pursuant to this AVC does not constitute acceptance by said Department, and monies received will be returned if this AVC is not accepted.

VIII. CONSTRUCTION OF AGREEMENT

8.1 It is further agreed that the parties jointly participated in the negotiation of the terms of this AVC. No provision of this AVC shall be construed for, or against, any party, on the grounds that one party had more control over establishing the terms of this AVC, than another.

IN WITNESS WHEREOF, Respondent has caused this AVC to be executed by an authorized representative, as a true act and deed, in the county and state listed below, as of the date affixed thereon.

BY MY SIGNATURE I hereby affirm that I am acting in my capacity and within my authority as President, and in my individual capacity, and that by my signature I am binding myself to the terms and conditions of this AVC.

Trent Silver

TRENT SILVER, as Sole Managing Member of
PRESTIGE BULLION DIRECT, LLC d/b/a PRESTIGE GOLD BUYERS, GOLDSTER, NATIONAL BULLION
SERVICES, and SILVER CAPITAL GROUP

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, an officer duly authorized to take acknowledgments in the State of Florida, Kirk Charlton
appeared TRENT SILVER, both individually and as President for PRESTIGE BULLION DIRECT, LLC d/b/a
PRESTIGE GOLD BUYERS, GOLDSTER, NATIONAL BULLION SERVICES, and SILVER CAPITAL
GROUP, who produced FL DL 5416-81-91-059-0 as identification. He acknowledged before me that he executed the foregoing
instrument for the purposes therein stated on the 6th day of AUGUST, 2012.

Subscribed to before me this 6th day of AUGUST, 2012.



NOTARY PUBLIC

Kirk A. Charlton

(print, type, or stamp commissioned Notary Public)

Personally known _____ or Produced Identification X (check one)

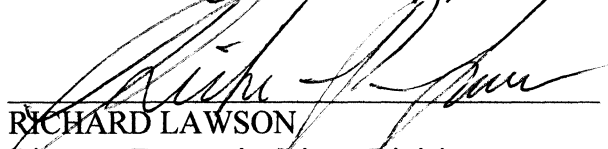
Type of Identification Produced: FL DL 5416-81-91-059-0

OFFICE OF THE ATTORNEY GENERAL



Richard Schiffer
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Accepted this 26 day of August, 2012.



RICHARD LAWSON
Director, Economic Crimes Division
Department of Legal Affairs
OFFICE OF THE ATTORNEY GENERAL
The Capitol
Tallahassee, FL 32399-1050
(850) 245-0140

AFFIDAVIT OF TRENT SILVER

I, Trent Aaron Silver, hereby declare as follows:

1. I am a United States citizen who is over the age of eighteen years of age. I have personal knowledge of the facts stated in this Affidavit.

2. The following websites were used to conduct the mail-in secondhand precious metals business:

www.prestigegoldbuyers.com

www.goldster.com

I declare under penalty and perjury under the laws of Florida and the United States of America that the foregoing is true and correct.

Executed on 8/22, 2012 Tampa, Florida

Trent Silver

TRENT AARON SILVER

STATE OF Florida)

COUNTY OF Hillsborough)^{ss}

Acknowledged before me this 22 day of August, 2012, by **TRENT AARON SILVER** who is personally known to me or who produced _____ as identification.

Elizabeth A. Sandifer

My Commission Expires:

March 26, 2016

