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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
SECURITIES DIVISION**

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IN THE MATTER OF DETERMINING  
whether there has been a violation of the  
Franchise Investment Protection Act of  
Washington by:

Order Number S-10-303-11-CO01

CONSENT ORDER

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Wellspring Industry, Inc. d/b/a  
Tutti Frutti Frozen Yogurt;

Respondent.

**INTRODUCTION**

On May 3, 2011, the Securities Administrator of the State of Washington entered a Statement of Charges and Notice of Intent to Enter Order to Cease and Desist, S-10-303-11-SC01, hereinafter referred to as "Statement of Charges," against Respondent Wellspring Industry, Inc. d/b/a Tutti Frutti Frozen Yogurt. Pursuant to the Franchise Investment Protection Act of Washington, RCW 19.100, the Securities Division of the Department of Financial Institutions and Respondent Wellspring Industry, Inc. d/b/a Tutti Frutti Frozen Yogurt do hereby enter into this CONSENT ORDER in settlement of the above-captioned matter. The Securities Division made certain allegations and conclusions in the Statement of Charges, set forth under the headings "Tentative Findings of Fact" and "Conclusions of Law." Respondent Wellspring Industry, Inc. d/b/a Tutti Frutti Frozen Yogurt neither admits nor denies the Tentative Findings of Fact and Conclusions of Law, which are hereby incorporated by reference into this Consent Order.

**CONSENT ORDER**

Based upon the foregoing and finding it in the public interest:

IT IS AGREED AND ORDERED THAT Respondent Wellspring Industry, Inc., its agents and employees, shall each cease and desist from offering or selling franchises in violation of RCW 19.100.020, the registration section of the Franchise Investment Protection Act of the State of Washington.

IT IS FURTHER AGREED AND ORDERED that Respondent Wellspring Industry, Inc., its agents and employees, shall each cease and desist from violating RCW 19.100.080, the offering circular requirement of the Franchise Investment Protection Act of the State of Washington.

1 IT IS FURTHER AGREED that Respondent Wellspring Industry, Inc. shall reimburse the Securities  
2 Division \$1,200 for its costs of investigation of this matter. Such payment is due prior to the entry of this  
3 Consent Order.

4 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Consent Order.

5 IT IS FURTHER AGREED that Respondent Wellspring Industry, Inc. enters into this Consent Order  
6 freely and voluntarily and with full understanding of its terms and significance.

7 IT IS FURTHER AGREED that in consideration of the foregoing, Respondent Wellspring Industry,  
8 Inc. waives its right to a hearing and to judicial review of this matter.

9 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

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11 Signed this 7<sup>th</sup> day of November 2011.

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13 Approved for Entry by:

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17 /s/

18 Samuel Chung, Attorney for Respondent

19 WSBA No. 19373

20 Signed by:

21 Wellspring Industry, Inc. d/b/a Tutti Frutti Frozen Yogurt

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23  
24 \_\_\_\_\_  
25 /s/

Jay Kim, President

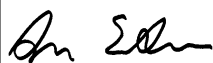
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SIGNED and ENTERED this 9th day of November 2011.



William M. Beatty  
Securities Administrator

Approved by:



Suzanne Sarason  
Chief of Enforcement

Presented by:



Jiyoun C. Kwon  
Financial Legal Examiner