COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2008-AH-213

IN THE MATTER OF:
TMG REAL ESTATE AND FINANCIAL SERVICES, LLC
D/B/A FIRST OMNI MORTGAGE LENDING

AGREED ORDER

BACKGROUND AND FACTUAL FINDINGS

1. TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending ("First Omni Mortgage Lending") is licensed with the Department of Financial Institutions ("DFI") as a mortgage loan company whose principal office is located at 310 West Liberty Street, Suite 100, Louisville, Kentucky 40202.

2. On January 28, 2008, an examination was conducted into the condition, workings and affairs of this location in order to determine whether: (1) it was in compliance with applicable laws and regulations; (2) its practices and policies had an adverse impact on prospective borrowers; and (3) it was being operated efficiently, fairly, and in the public interest.

3. In the course of that examination it was discovered that First Omni Mortgage Lending violated Chapter 286.8 of the Kentucky Revised Statutes by employing or using two (2) unregistered individuals to originate loans in Kentucky.

AGREEMENT AND ORDER

The Department of Financial Institutions and First Omni Mortgage Lending, in the interest of economically and efficiently resolving the violations described in the foregoing Background and Factual Findings, agree as follows:

1. First Omni Mortgage Lending agrees to pay a fine in the amount of four thousand dollars ($4,000) for the violations set forth above, which shall be made payable to "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: Jessica Sharpe, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601.

2. In regard to this matter, First Omni Mortgage Lending waives its right to demand a hearing, at which First Omni Mortgage Lending would be entitled to legal representation, to confront and cross examine witnesses for the Department of Financial Institutions, and to present evidence on its own behalf. Further, First Omni Mortgage Lending consents to and acknowledges the jurisdiction of the Department of Financial Institutions over this matter and that this Agreement is a matter of public record and may be disseminated as such.

3. This Settlement Agreement shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 10 day of July, 2008.

Cordell G. Lawrence
Commissioner

Consented to:

This 9th day of July, 2008

David Coyle, Director
Division of Financial Institutions
Office of Financial Institutions

This 1ST day of July, 2008

Michael R. Miller, Managing Member
TMG Real Estate and Financial Services, LLC d/b/a
First Omni Mortgage Lending

STATEMENT OF AUTHORIZATION

I, **Michael R. Miller**, state on behalf of TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending, a limited liability company organized in Kentucky and doing business in Kentucky as a mortgage loan company, that I have read the foregoing Agreed Order; that I know and fully understand its contents; that I am a manager authorized to enter into and execute this Agreed Order on behalf of TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending, that TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending, agrees freely and without threat of coercion of any kind to comply with the terms and conditions stated herein; and that TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending voluntarily agrees to enter into this Agreed Order, expressly waiving any right to a hearing on the matters described herein.

By: _____
Michael R. Miller, Managing Member
TMG Real Estate and Financial Services, LLC
d/b/a First Omni Mortgage Lending

STATE OF Kentucky)
)
COUNTY OF Jefferson)

On this the 1st day of July, 2008, before me CHRISTINE M DIEBOLD the undersigned officer, **Michael R. Miller**, did personally appear and acknowledge himself to be a Managing Member of TMG Real Estate and Financial Services, LLC d/b/a First Omni Mortgage Lending, and that he, being authorized to do so, entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

Christine M Diebold
Notary Public
Date Commission Expires: 01/24/2012

CHRISTINE M DIEBOLD
Notary Public-State at Large
KENTUCKY
My Commission Expires January 24, 2012