

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER)
CREDIT,)
)
Petitioner)
)
v.)
)
COWBOY INVESTMENT GROUP, LLC)
D/B/A MASSAGE ENVY,)
)
Respondent)

Case Nos. 18-0239-DIS
18-0240-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Cowboy Investment Group LLC d/b/a Massage Envy, ("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) Petitioner restates and incorporates by reference the allegations made by Petitioner in the Notice of Hearing filed in this matter.

- a. Respondent is a domestic limited liability company under the State of Oklahoma, Oklahoma Secretary of State filing number 3512504757, active filing status.
- b. Respondent transacts business at the following locations in the State of Oklahoma:
 - (i) 13801 N. Pennsylvania, Ste. C, Oklahoma City, OK 73134;
 - (ii) 10700 S. Pennsylvania, Ste. 23, Oklahoma City, OK 73170;

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- c. On June 28, 2018, Jimmie Ray and Michael Thompson, consumer credit investigators, conducted an investigation at Respondent's business location located at 13801 N. Pennsylvania, Ste. C, Oklahoma City, OK 73134.
- d. The investigators entered the location and spoke with Tracy Lowe, clinic manager. The investigators asked Ms. Lowe how long the business had been open and what type of contracts were offered to customers. Ms. Lowe advised the current ownership has been in place for 3 years, and Respondent has been open all year. Ms. Lowe stated the prior ownership was in business at the location for 10 years. Ms. Lowe advised Respondent offers 3-month, 6-month and 12-month contract commitments for members. Ms. Lowe advised Respondent offers an enrollment fee of \$55 for the 6-month option and there is no fee for the 3-month or 12-month option. The investigators asked to review and scan member contracts. The member contracts show payments debited from the members account each month. The debit continues until the membership agreement is paid in full or cancelled. Respondent also sells various types of skin care products to members.
- e. Respondent had a SPA license at this location, SPA00715; said license expired on December 31, 2017.
- f. As of the date of the Notice, Respondent is not registered as a health spa in the State of Oklahoma at this location.
- g. Respondent has failed to pay the fees related to the health spa registration. ADMIN. CODE § 160:5-1-2(5) (A), (B) and (C).
- h. Respondent had a notification license at this location, NOT86805; said license expired on January

31, 2018.

- i. Respondent is not licensed in the State of Oklahoma pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. 14A O.S. § 6-203(2).
- j. Respondent did not file notification pursuant to the provisions of Section 6-201 of the UCCC, on or before January 31.
- k. Respondent has failed to pay the notification filing fee of \$120.00 for each business location pursuant to OKLA. ADMIN. CODE § 160:5-1-2(2)(A).

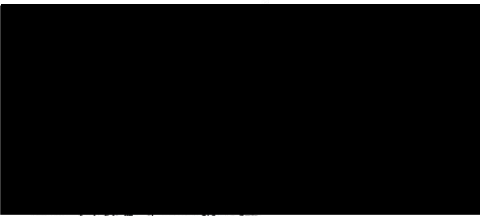
(2) Respondent does not admit to the allegations made by Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order, except that Respondent admits the facts necessary to establish the Department's jurisdiction over Respondent and the subject matter of this action.

(3) Respondent will submit a spa license application and pay all applicable registration/application fees, and will submit a notification license application and pay all applicable registration/application fees to the Department on or before February 18, 2019. In addition, Respondent agrees to pay a \$1,000.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before February 18, 2019.

(4) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Numbers 18-239-DIS and 18-0240-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(5) A file stamped copy of this Consent Order will be returned to the Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(6) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 14 O.S. § 6-113(4).



Scott Lesner
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 2/1/19



Cowboy Investment Group LLC
d/b/a Massage Envy

Dated: 1-31-19

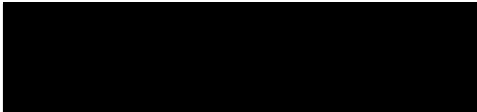
VERIFICATION OF CONSENT ORDER, CASE NUMBERS 18-0239-DIS
AND 18-0240-DIS

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

Signed and sworn to (or affirmed) before me on January 31st,
2019, by Garret Steggs of Cowboy Investment Group LLC
d/b/a Massage Envy.



Cowboy Investment Group LLC
d/b/a Massage Envy



(Seal, if any)

NOTARY PUBLIC-STATE OF OKLAHOMA



MICAH DAVIS
COMMISSION # 16005981
OKLAHOMA COUNTY

Notary Public

My commission expires:

6-21-20