

BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME
FURNISHINGS AND THERMAL INSULATION
STATE OF CALIFORNIA

In the Matter of the Statement of Issues
Against:

DUSTIN MAGGETTI

Furniture and Bedding Retailer License

Respondent.

Case No. AN 2016-183

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Director of Consumer Affairs and the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation as the Decision and Order in the above entitled matter.

This Decision shall become effective on

OCT 19 2017

It is so ORDERED

September 18, 2017.



RYAN MARCROFT

Deputy Director

Legal Affairs Division

Department of Consumer Affairs

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Attorney General of California
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Supervising Deputy Attorney General
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9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME**
FURNISHINGS AND THERMAL INSULATION
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues
13 Against:
14 **DUSTIN MAGGETTI**
15 **Furniture and Bedding Retailer License**
16 **Applicant**
17 Respondent.

Case No. AN 2016-183

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Dale Chasse (Complainant) is the Acting Bureau Chief of the Bureau of Electronic
23 and Appliance Repair, Home Furnishings and Thermal Insulation (Bureau). He brought this
24 action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney
25 General of the State of California, by Geoffrey S. Allen, Deputy Attorney General.

26 2. Respondent Dustin Maggetti (Respondent) is representing himself in this proceeding
27 and has chosen not to exercise his right to be represented by counsel.
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CONTINGENCY

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2 11. This stipulation shall be subject to approval by the Director or the Director's designee.
3 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of
4 Electronic and Appliance Repair, Home Furnishings and Thermal Insulation may communicate
5 directly with the Director and staff of the Department of Consumer Affairs regarding this
6 stipulation and settlement, without notice to or participation by Respondent. By signing the
7 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
8 to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director
9 fails to adopt this stipulation as the Decision and Order, the Stipulated Settlement and
10 Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible
11 in any legal action between the parties, and the Director shall not be disqualified from further
12 action by having considered this matter.

13 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
14 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
15 signatures thereto, shall have the same force and effect as the originals.

16 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
17 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
18 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
19 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
20 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
21 writing executed by an authorized representative of each of the parties.

22 14. In consideration of the foregoing admissions and stipulations, the parties agree that
23 the Director may, without further notice or formal proceeding, issue and enter the following
24 Disciplinary Order:

DISCIPLINARY ORDER

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26 IT IS HEREBY ORDERED that Respondent Dustin Maggetti that Furniture and Bedding
27 Retailer License will be issued and immediately revoked. The revocation will be stayed and the
28 Respondent placed on three (3) years probation on the following terms and conditions.

1 1. **Obey All Laws.** Comply with all statutes, regulations and rules governing home
2 furnishings and thermal insulation.

3 2. **Comply with Probation.** Respondent shall fully comply with the probation program
4 established by the Bureau and shall cooperate with the representatives of the Bureau.

5 3. **Quarterly Reports.** Respondent shall submit quarterly reports under penalty of
6 perjury, in a form required by the Bureau. The reports shall certify and document compliance
7 with all the conditions of probation.

8 4. **License During Probation.** Respondent shall, at all times while on probation,
9 maintain an active current license with the Bureau, including any period during which suspension
10 or probation is tolled.

11 Should Respondent's license by operation of law or otherwise, expire, upon renewal or
12 reinstatement Respondent's license shall be subject to any and all terms of this probation not
13 previously satisfied.

14 5. **Personal Appearances.** Report, by personal appearance of Respondent or
15 Respondent's authorized representative, to the Bureau, but no more frequently than each quarter,
16 on the methods used and success achieved in maintaining compliance with the terms and
17 conditions of probation.

18 6. **Random Inspections.** Provide Bureau representatives unrestricted access to inspect
19 all business locations and records, including, but not limited to plants, factories, retail stores, and
20 so forth.

21 7. **Tolling.** Respondent's probation is tolled, if and when he fails to own and operate a
22 Bureau-licensed business in California. Respondent must provide written notice to the Bureau
23 within 15 days of any such change of license status.

24 8. **Violation of Probation.** If a Respondent violates the conditions of his probation, the
25 Bureau, after giving the Respondent notice and an opportunity to be heard, may set aside the stay
26 order and impose the stayed discipline revocation of the Respondent's license.

27 If during the period of probation, an accusation or petition to revoke probation has been
28 filed against Respondent's license or the Attorney General's Office has been requested to prepare

1 an accusation or petition to revoke probation against the Respondent's license, the probationary
2 period shall automatically be extended and shall not expire until the accusation or petition has
3 been acted upon by the Bureau. Upon successful completion of probation, the Respondent's
4 license shall be fully restored.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Furniture and Bedding Retailer License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED:

7/12/17


DUSTIN MAGGETTI
Respondent

ENDORSEMENT

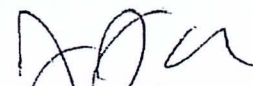
The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs

Dated:

7/12/17

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General


GEOFFREY S. ALLEN
Deputy Attorney General
Attorneys for Complainant

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