

STATE OF NORTH CAROLINA

WAKE COUNTY

IN A MATTER
BEFORE THE COMMISSIONER OF BANKS
DOCKET NO. 23:002:MT

IN RE:)	
)	
COINME INC.)	CONSENT ORDER
)	
NMLS ID No. 1185542)	
_____)	

NOW COME the Non-Depository Entities Division of the North Carolina Office of the Commissioner of Banks (NCCOB) and Coinme, Inc. (Coinme), collectively referred to as “the Parties,” and agree to the entry of this Consent Order.

FINDINGS OF FACT

1. The NCCOB is responsible for the regulation and licensing of money transmitters doing business in North Carolina in accordance with Article 16B of Chapter 53 of the North Carolina General Statutes as periodically amended (MTA).
2. On 30 April 2021, Coinme was licensed as a money transmitter under the MTA.
3. On 23 January 2023, Coinme’s MTA license was summarily suspended by Summary Suspension Order for failing to maintain net worth pursuant to N.C. Gen. Stat. § 53-208.46(a). On 27 January 2023, the Suspension Order was amended to allow Coinme additional time to cease operations.
4. As a condition of the January 2023 Suspension Order, Coinme was required to provide 2022 audited financial statements and 2023 interim financial statements to show sufficient net worth.
5. Coinme has met the requirements.
6. Coinme neither admits nor denies the allegations herein but desires to resolve this matter without further cost or expense through this Consent Order.

7. The Parties have voluntarily, willingly, and of their own accord agreed to the terms of this Consent Order.

8. The Parties further agree and acknowledge that this Consent Order sets forth all terms and conditions between them concerning this matter and supersedes all prior oral and written statements and representations. There are no terms or conditions between the parties except as specifically set forth in this Consent Order.

9. Coinme waives its right to a contested hearing before the North Carolina Commissioner of Banks (Commissioner) and to appeal this Consent Order to the North Carolina State Banking Commission or any court.

10. Coinme agrees to entry of this Consent Order.

11. Upon entry of this Consent Order, the NCCOB will consider this matter fully resolved as to Coinme and agrees to take no further enforcement action regarding the matters alleged in this proceeding as against Coinme.

12. Coinme has had the opportunity to consult with legal counsel concerning the terms of this Consent Order.

13. The undersigned represent and warrant that they are authorized to enter into this Consent Order.

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over Coinme and the subject matter of this proceeding.

2. Chief Deputy Commissioner Stephanie R. White has the authority to enter into this Consent Order for and on behalf of the NCCOB.

3. The entry of this Consent Order is in the public interest.

4. This Consent Order is a matter of public record and may be disseminated as such.

5. Pursuant to N.C. Gen. Stat. § 53-208.46(b), the Commissioner may by order increase the amount of net worth required of a licensee to ensure safe and sound operations.

6. Nothing in this Consent Order shall be construed to prohibit the NCCOB from investigating compliance with this Consent Order the MTA, or to prohibit the NCCOB from investigating or pursuing enforcement proceedings against other persons for their involvement in the matters alleged in this

proceeding. Nothing in this Consent Order shall be construed as a waiver of any claim or defense that an individual consumer may have against Coinme.

7. This Consent Order shall be binding upon and inure to the benefit of the Parties hereto and their respective legal representatives, successors, and assigns.

Based upon the foregoing findings of fact and conclusions of law, the Commissioner enters the following:

ORDER

1. The Summary Suspension Order entered herein on 23 January 2023 and subsequently amended on 27 January 2023, is hereby lifted and Coinme's license is reinstated.

2. Pursuant to N.C. Gen. Stat. § 53-208.46(b), Coinme shall continually maintain net worth of at least \$500,000, calculated in accordance with generally accepted accounting principles (GAAP), to ensure safe and sound operations.

3. Should Coinme anticipate falling below the required net worth at any time, Coinme shall immediately notify NCCOB of this fact via written statement uploaded to NCCOB Online that includes a detailed plan to correct the shortfall and the timetable for achieving the required net worth.

4. Coinme's consent to this order shall not deprive the NCCOB of jurisdiction over its money transmission activities under the MTA occurring prior to the effective date of this Consent Order. NCCOB may initiate an enforcement action against Coinme seeking any of the remedies available under the MTA and other applicable laws including consumer restitution, civil money penalties, and injunctive relief. This provision does not apply to the issues resolved by this Consent Order.

5. Coinme shall cooperate fully and to the best of its ability with any future NCCOB complaints, investigations, and examinations. Such cooperation shall include, but not be limited to, providing affidavits and/or sworn testimony.

6. This Consent Order shall be deemed a regulatory action and shall be disclosed through the Nationwide Mortgage Licensing System and Registry by Coinme within thirty (30) days.

(Signatures on next page.)

IT IS SO ORDERED.

NORTH CAROLINA COMMISSIONER OF BANKS	
Katherine M.R. Bosken Commissioner of Banks	[REDACTED]
Effective Date	07/17/2023
WE CONSENT	[REDACTED]
For the Office of the Commissioner of Banks	
Stephanie R. White Chief Deputy Commissioner of Banks	[REDACTED]
Date	07/11/2023
Sidney A. Thomas Attorney	[REDACTED]
Date	07/11/2023
For Coinme, Inc.	
Neil Bergquist Co-Founder and Chief Executive Officer	[REDACTED]
Date	07/10/2023