

**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT**

**FINANCIAL INSTITUTIONS DIVISION,
Petitioner,**

v.


**ROS WELL ESCROW SERVICES, INC.,
CHRISTOPHER ADAM JENSEN-TANNER,
and MINDY JENSEN-TANNER,
Respondents.**

NO. D-101-CV-2019-02979

**ATTACHMENTS FID 1-A, FID 1-B, FID 2 AND FID 3
FOR THE APPLICATION FOR TEMPORARY RESTRAINING ORDER,
ENFORCEMENT ORDER and PRELIMINARY INJUNCTION filed 11-14-2019**

COMES NOW Christopher Moya, Director of the Financial Institutions Division (FID) of the New Mexico Regulation and Licensing Department, by and through Kevin A. Graham, legal counsel for the FID, and submits the attached FID Exhibit 1-A, FID Exhibit 1-B, FID Exhibit 2 and FID Exhibit 3 that were inadvertently not attached to the FID's "Application for Temporary Restraining Order, Enforcement Order and Preliminary Injunction" that was filed electronically with the Court on November 14, 2019. Copies of each of these exhibits were transmitted electronically to counsel representing the Respondents, and hard copies of the exhibits were provided to the office of the Honorable Bryan Biedscheid prior to the Court's review and consideration of the Application.

Respectfully submitted,



Kevin A. Graham
Deputy General Counsel
New Mexico Regulation & Licensing Dept.
Financial Institutions Division Legal Counsel


2550 Cerrillos Road
Santa Fe, NM 87505
(505) 476-4562

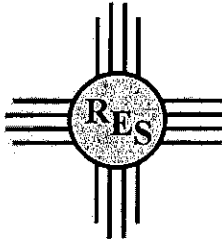
CERTIFICATE OF SERVICE:

The undersigned hereby certifies that a true and correct copy of the foregoing pleading was delivered via the court's electronic service system on this 15th day of November 2019, addressed to each of the following:

Richard Olson
Hinkle Shanor LLP
(575) 622-6510
Rolson@hinklelawfirm.com
Counsel for Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner

Lucas Williams
Hinkle Shanor LLP
(575) 622-6510
lwilliams@hinklelawfirm.com
Counsel for Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner

By: 
Kevin A. Graham



ROSWELL ESCROW SERVICES, INC.

204 W. 2nd St., Suite 5 • P O Box 2224 • Roswell, NM 88202 • (575) 622-3513 • Fax (575) 622-2544

October 16, 2019

RICHARD A. WELLS MANAGEMENT TRUST
36 TROON DR
LAKEWAY, TX 78738

Contract #: 13568

Mr. Wells,

CONGRATULATIONS! Your contract with Ray and Karen Eidson for the property at 607 White Mountain Meadows, in Ruidoso, NM is now paid in full. You should have received your final disbursement already. If you have any questions regarding your account, please do not hesitate to contact my office at 575-622-3513 or by email at Rachel@RoswellEscrow.com.

It has been a pleasure servicing your contract for the past year and a half and I personally want to thank you for trusting Roswell Escrow Services to handle such an important role in the sale of your property. Should you require the services of an escrow agent in the future we would enjoy the opportunity to work with you again. Thank you.

Sincerely,


Rachel Corn
Office Manager

FID Exhibit 1 - A

NEW MEXICO TEN DAY FINAL PAYMENT NOTICE

Disclosure Date: 10/16/2019

Buyer(s): RAY & KAREN EIDSON
[REDACTED]
RUIDOSO, NM 88345

Seller(s): RICHARD A WELLS MGMT TRUST
[REDACTED]
LAKEWAY, TX 78738

Account Number: [REDACTED]

Phone Number: (512) [REDACTED]

Property Address or Legal Description (or Definitive Description if not Real Property)

607 WHITE MOUNTAIN MEADOWS, RUIDOSO, NM 88345

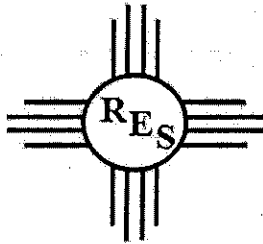
THIS DOCUMENT SERVES AS NOTICE THAT THE ABOVE REFERENCED ACCOUNT HAS BEEN PAID IN FULL AND THAT THE DISCLOSED INFORMATION IS TRUE AND ACCURATE.

Description	Date	Amount
Final Payment Made by Buyer	10/11/2019	\$218,571.96
Final Payment Deposited with Escrow Company	10/11/2019	\$218,571.96
Expected Disbursement Date	10/18/2019	\$218,330.23

PAYMENT MUST BE DISBURSED WITHIN 5 DAYS OF FUNDS BECOMING AVAILABLE TO THE ESCROW COMPANY

ESCROW COMPANY CONTACT

Completed by:



Roswell Escrow Services, Inc.

Printed Name: Rachel Corn

Signature: *[Handwritten Signature]*

Date: 10/16/2019

Escrow Company: Roswell Escrow Services, Inc.

Address: P O Box 2224

Roswell, NM 88202

Telephone: (575) 622-3513

Email: Rachel@RoswellEscrow.com

Method of Delivery

Mail

Email

Pursuant to the New Mexico Escrow Company Act, NMSA 1978, Subsection B of Section 58-22-18 (2015), the escrow company is required to send a notice to the Seller and Buyer of property within the ten-day period following a buyer depositing the final payment on the account.

----- Forwarded Message -----

Subject:RE: Roswell Escrow

Date:Mon, 21 Oct 2019 23:00:05 +0000

From:Richard Olson <rolson@hinklelawfirm.com>

To: [REDACTED]

CC:Richard Olson <rolson@hinklelawfirm.com>

Mr. Wells-

I got your voice mail. I think I can say with some assurance that contacting the media won't get you your money any quicker. In fact, it would likely have the opposite effect.

From: Richard Olson <rolson@hinklelawfirm.com>

Sent: Monday, October 21, 2019 12:18 PM

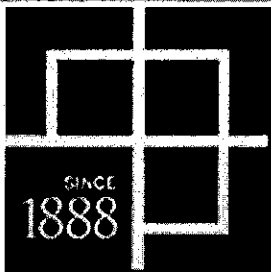
To: [REDACTED]

Cc: Richard Olson <rolson@hinklelawfirm.com>

Subject: Roswell Escrow

Mr. Wells-

I called and left a message on your voice mail. I represent Roswell Escrow. I understand you are owed a payment on a contract that was escrowed. Unfortunately circumstances are such that payment will not be forthcoming at this time. Roswell Escrow is pursuing options to address the issue so that it can get you paid. If you have any questions, feel free to call me.



Richard E. Olson
Partner
Hinkle Shanor LLP
P.O. Box 10
Roswell, New Mexico 88202-0010
(575) 622-6510 telephone
(575) 623-9332 facsimile
rolson@hinklelawfirm.com

This message (including attachments) constitutes a confidential attorney-client or is otherwise a confidential communication from the law firm, Hinkle Shanor LLP, that is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, and is intended solely for the use of the individual(s) or entity to whom it is addressed. It is not intended for transmission to, or receipt by, any unauthorized person. If you are not the intended recipient or received these documents by mistake or error, please do not read it and immediately notify us by collect telephone call to (575) 622-6510 for instructions on its destruction or return. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, action or reliance upon the contents of the documents is strictly prohibited. WARNING: Computer viruses can be transmitted via email. The recipient should check this email and any attachments for the presence of viruses. Hinkle Shanor LLP accepts no liability for any damage caused by any virus transmitted by this email.

FID Exhibit 2



New Mexico Regulation and Licensing Department
FINANCIAL INSTITUTIONS DIVISION

Toney Anaya Building • 2550 Cerrillos Road • Santa Fe, New Mexico 87504
Mailing Address P.O. Box 25101 Santa Fe, NM 87504
Information (505) 476-4500 • Direct (505) 476-4885 • Fax (505) 476-4670
www.rld.state.nm.us/financialinstitutions

September 20, 2019

Michelle Lujan Grisham
Governor

Marguerite Salazar
Superintendent

Claudia Armijo
Deputy Superintendent

Daniel Rubin
General Counsel

Christopher Moya
Director of
Financial Institutions

In the Matter of Roswell Escrow Services, Inc.
New Mexico Business I.D. # 1178763
New Mexico Escrow Company License #00125
204 W. Second, Suite 5
Roswell, New Mexico 88201

CONSENT ORDER

Pursuant to the enumerated terms listed within this Consent Order (Order), and in recognition of the authority of the director of the Financial Institutions Division (FID) of the New Mexico Regulation and Licensing Department under the New Mexico Escrow Company Act, §58-22-1 NMSA 1978, *et seq.*, and the specific authority provided to the director (Director) of the FID by §58-22-6 and §58-22-27 NMSA 1978, the below-signed parties hereby acknowledge and consent as follows:

1. The parties (Parties) to this consent order are Christopher Moya, director of the FID, Christopher Adam Jensen-Tanner, and Mindy Jensen-Tanner.
2. Christopher Adam Jensen-Tanner is the current President of Roswell Escrow Service, Inc. (RES).
3. Mindy Jensen-Tanner is the current Secretary of RES.
4. Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner are married to each other, and they are the only owners of RES.
5. Prior to signing this Order, Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner have had the opportunity to consult with private legal counsel of their choosing regarding all matters relevant to this Order.

FID Exhibit #3

- Alcohol and Gaming Division
(505) 476-4875
- Boards and Commissions Division
(505) 476-4600
- Construction Industries Division
(505) 476-4700
- Financial Institutions Division
(505) 476-4885
- Manufactured Housing Division
(505) 476-4770
- Securities Division
(505) 476-4580
- Administrative Services Division
(505) 476-4800

6. Sufficient grounds and evidence currently exist for the Director of the FID to issue an order finding that the assets or capital of RES are impaired or that the company is in an unsafe condition.
7. As of the date of this Order, October 23, 2019, the Parties acknowledge that, so long as this Order is in effect, RES will not accept any new escrow clients or escrow accounts without the specific prior written consent of the Director.
8. As of the date of this Order, October 23, 2019, the Parties acknowledge that all locks to the doors or other access points of the building housing RES, located at 204 W. Second, Suite 5, Roswell, New Mexico 88201, will be re-keyed, or the locks replaced, and the only set of new keys for such locks will be in the possession of the Director, or an employee of the FID as authorized by the Director to retain possession of such keys.
9. As of the date of this Order, October 23, 2019, the Parties acknowledge that no employee of RES, including but not limited to, Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner, shall access or attempt to access the building housing RES, located at 204 W. Second, Suite 5, Roswell, New Mexico 88201, without being accompanied by, or permitted access by, the Director or an employee of the FID as authorized by the Director.
10. As of the date of this Order, October 23, 2019, the Parties acknowledge that full cooperation and any necessary assistance will be provided by Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner, or any other necessary employee of RES, to accomplish the task of changing any passwords, log-on information, or other identification steps necessary to control access to all electronic methods of access or control to any bank accounts of RES, including any trust accounts, checking accounts, savings accounts, or other accounts at any bank that are controlled or held by RES or contain funds belonging to RES. The Parties further agree that the passwords, log-on information, or other identification steps necessary to control access to all electronic methods of access or control relevant to all accounts described herein shall be changed/re-set by the Director or an employee of the FID as authorized by the Director, and such passwords or other means of electronic access or control of such accounts shall not be shared with Christopher Adam Jensen-Tanner or Mindy Jensen-Tanner without the

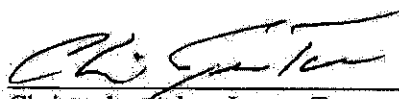
express prior permission of the Director. This will include control of the "positive pay" or similar services of the accounts.

11. As of the date of this Order, October 23, 2019, the Parties acknowledge that Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner will fully cooperate with all steps necessary to have added to the signature authority for all bank accounts for RES changed to require the signatures of both Christopher Adam Jensen-Tanner and an employee of the FID, as designated by the Director. Such employee of the FID as designated by the Director to be added to the signature authority for all bank accounts of RES shall only take on such signatory authority in the employee's express capacity as an employee of the FID of the Regulation and Licensing Department of the State of New Mexico and in the furtherance of the employee's duties with the State of New Mexico. While this provision will be commenced as of October 23, 2019, FID acknowledges that the financial institutions holding these funds may or may not have a customary window of maintenance outside of the control of RES or FID.
12. As of the date of this Order, October 23, 2019, the Parties acknowledge that no funds held in any or all bank accounts of RES, shall be transferred from those accounts by any method without the express prior permission of the Director, or an employee of the FID as authorized by the Director.
13. As of the date of this Order, October 23, 2019, the Parties acknowledge that full cooperation and any necessary assistance will be provided by Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner, or any other necessary employee of RES, to accomplish the task of changing any passwords, log-on information, or other identification steps necessary to control access to all software packages utilized by RES for the purpose(s) of accounting, bill payment, reconciliations, or any other business operations of RES. The Parties further agree that the passwords, log-on information, or other identification steps necessary to control access to all electronic methods of access or control relevant to all accounts described herein shall be changed/re-set by the Director or an employee of the FID as authorized by the Director, and such passwords or other means of electronic access or control of such accounts shall not be shared with Christopher Adam Jensen-Tanner or Mindy Jensen-Tanner without the express prior permission of the Director.

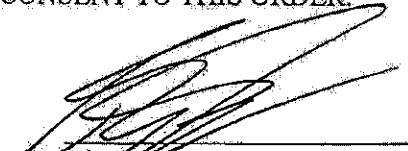
14. As of the date of this Order, October 23, 2019, the Parties acknowledge that no funds of RES will be utilized to pay salaries or other financial compensation or benefits to Christopher Adam Jensen-Tanner or Mindy Jensen-Tanner, but that other employees of RES will continue to receive such wages and other employment benefits that were being paid by RES under the terms and conditions already in effect as of the signing of this Order for such time as this Order continues in place. No changes shall be made to the terms of RES employee compensation without the express prior written permission of the Director.
15. Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner hereby commit to providing any and all assistance necessary to the Director and staff of the FID to enable the access, examination and understanding of any and all records (in whatever form) of RES.
16. Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner hereby commit to providing full cooperation with the examination of RES by the Director and the FID staff, and to insuring all employees or other individuals with knowledge of the operations or accounts of RES fully cooperate with the examination of RES by the Director and the FID staff.
17. Christopher Adam Jensen-Tanner and Mindy Jensen-Tanner hereby commit to upholding all terms and conditions of this Order, and not to engage in any direct or indirect actions intended to obstruct or hinder the examination of RES or the conduct of any proper regulatory actions of the Director or staff of the FID in regards to RES.
18. The Parties acknowledge that this Order is intended to continue in place for a period of time as determined to be necessary and prudent by the Director, and may be terminated by the Director at any time by the Director by the delivery of a subsequent written order issued by the Director delivered to RES and/or Christopher Adam Jensen-Tanner or Mindy Jensen-Tanner.
19. The Parties acknowledge that any/all terms and conditions of this Order may be amended or expanded upon by subsequent written order(s) as issued by the Director and delivered to RES and/or Christopher Adam Jensen-Tanner or Mindy Jensen-Tanner.
20. The Parties acknowledge that this Order is being entered into by the Director with the intention of preventing any future financial losses to clients/customers of RES, and in anticipation of the sale of RES to another business entity capable of properly carrying out all current and future lawful fiduciary responsibilities of RES.

21. The Parties acknowledge that by entering into the terms and conditions of this Order, the Director does not waive or concede any authority provided to the Director under the New Mexico Escrow Company Act, §58-22-1 NMSA 1978, *et seq.*, or other applicable state or federal law.


IN CONSIDERATION AND UNDERSTANDING OF ALL THE ABOVE PROVISIONS AND DETAILS, THE PARTIES ACKNOWLEDGE AND CONSENT TO THIS ORDER.



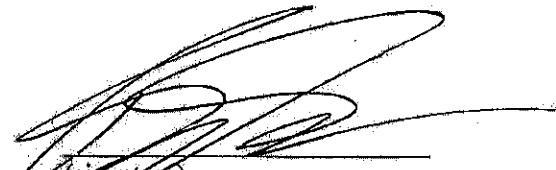
Christopher Adam Jensen-Tanner 10/09/19
President and Co-Owner Date
Roswell Escrow Services, Inc.



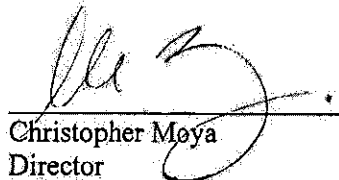
(signature)
Witness



Mindy Jensen-Tanner 10/23/19
Secretary and Co-Owner Date
Roswell Escrow Services, Inc.



(signature)
Witness



Christopher Moya 10/23/19
Director Date
Financial Institutions Division

Respectfully,