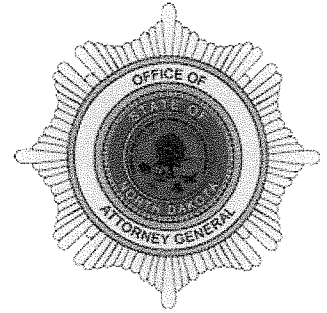




OFFICE OF ATTORNEY GENERAL
CONSUMER PROTECTION AND ANTITRUST DIVISION
GATEWAY PROFESSIONAL CENTER
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BISMARCK, NORTH DAKOTA 58503-5574



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STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE OF NORTH DAKOTA EX REL.
WAYNE STENEHJEM,
ATTORNEY GENERAL,

Petitioner,

-vs-

MANDI PANKOWSKI,

Respondent.

**CEASE AND DESIST ORDER,
NOTICE OF CIVIL PENALTY
AND NOTICE OF RIGHT
TO REQUEST A HEARING**

CPAT 160101.002

To the individual identified below ("Respondent"):

Mandi Pankowski
3710 26th St W
#1032
Williston, ND 58801
Mandi.pankowski@gmail.com

BACKGROUND

1. The Attorney General of North Dakota has a reasonable basis to believe Respondent has engaged in and is engaging in acts or practices declared unlawful by N.D.C.C. ch. 51-15, commonly referred to as the "Consumer Fraud Law." It is necessary and appropriate in the public interest and for the protection of consumers to restrain the Respondent's unlawful acts or practices.

2. Respondent, individually and by and through her agents, is doing business under some or all of the names identified above, and has engaged in violations of North Dakota law by engaging in the act, use, or employment of any deceptive act or practice, fraud, false pretense, false promise, or misrepresentation, with the intent that others rely thereon in connection with the sale or advertisement of any merchandise in violation of N.D.C.C. § 51-15-02.

3. Mandi Pankowski's last known address is 3710 26th St W #1032, Williston, ND 58801. Mandi Pankowski engaged in business as a sole proprietorship from the same address.

4. Mandi Pankowski is in the business of advertising, soliciting and selling merchandise, including operating as an organizer of vendor shows. Respondent, or Respondent's agents on Respondent's behalf, solicited North Dakota customers.

5. Based on the consumer complaint and other information received, it appeared to the Attorney General that Respondent engaged in violations of North Dakota law, and the Attorney General commenced an investigation into the Respondent's business practices.

6. The Attorney General received a complaint from a consumer that Respondent solicited vendors in North Dakota to contact her in order to reserve space at a vendor show taking place on April 30, 2016. Respondent solicited vendors to pay \$75.00 in order to reserve space at the vendor show. Subsequently, the vendor show did not take place and Respondent did not issue refunds. The complainant consumer, and other vendors she was in contact with, attempted to reach Respondent but was unable.

7. On June 1, 2016, the Attorney General attempted to reach Respondent but was unable to leave a message. On June 3, 2016, the Attorney General sent information regarding the consumer complaint to Respondent at her last known address and requested a response. On June 27, 2016, the Attorney General again attempted to reach Respondent, but was unable to leave a message as Respondent's voice mailbox was full. On the same date, after being unable to leave a message, the Attorney General sent Respondent a follow up to the June 3, 2016 letter to Respondent's last known address and again requested a response.

8. On July 20, 2016, the Attorney General attempted to reach Respondent by e-mail requesting a response in order to resolve the consumer complaint in lieu of issuing a Civil Investigative Demand. On July 25, 2016, by mail, and July 26, 2016 by e-mail, the Attorney General issued a Civil Investigative Demand pursuant to the Attorney General's authority under N.D.C.C. § 51-15-04 and requested response by August 8, 2016. Respondent did not respond to the Civil Investigative Demand.

9. Respondent did not respond to the Civil Investigative Demand. Pursuant to N.D.C.C. § 51-15-07, the Attorney General may issue a cease and desist order for Respondent's failure to respond to the Civil Investigative Demand.

10. It appears that Respondent has made untrue, deceptive and misleading representations, and/or has made or engaged in deceptive acts or practices, fraud, false pretenses, false promises or misrepresentations with the intent that others rely thereon, in violation of N.D.C.C. ch. 51-15, the Consumer Fraud Law, in connection with the advertising, solicitation, and sale of merchandise, including the sale of vendor space at vendor shows.

ORDER

Based upon the foregoing information, it appears to the Attorney General that Respondent has engaged in violations of N.D.C.C. ch. 51-15. Respondent also has failed or refused to respond to the Civil Investigative Demand as required by N.D.C.C. § 51-15-04; **NOW, THEREFORE, IT IS ORDERED** pursuant to N.D.C.C. § 51-15-07 that Respondent, individually, immediately **CEASE AND DESIST** from: 1) soliciting or selling services and/or merchandise as defined in N.D.C.C. § 51-15-01(3), including contractor services, to North Dakota consumers; and 2) soliciting consumers using untrue, deceptive or misleading representations or engaging in deceptive acts or practices, fraud, false pretenses, false promises or misrepresentations with the intent that consumers rely thereon, in violation of N.D.C.C. § 51-15-02. Respondent also shall immediately **CEASE AND DESIST** from issuing any invoices or bills to North Dakota consumers for any services or merchandise and **CEASE AND DESIST** from taking any payments from North Dakota consumers including, but not limited to, direct debits or withdrawals from North Dakota consumers' bank accounts, cash, checks, or credit card payments for the sale of merchandise as defined in N.D.C.C. § 51-15-01(3).

YOU ARE NOTIFIED that pursuant to N.D.C.C. § 12.1-09-03 a person is guilty of a criminal offense if he or she intentionally "alters, destroys, mutilates, conceals, or removes a record, document, or thing with intent to impair its verity or availability" in an official proceeding. As such, intentional destruction of any documents related to this matter may result in criminal prosecution.

NOTICE OF CIVIL PENALTIES

YOU ARE FURTHER NOTIFIED that pursuant to N.D.C.C. § 51-15-07 any violation of this Cease and Desist Order is subject to civil penalties not to exceed \$1,000 per violation. Any violation of this Order that also is a violation of N.D.C.C. ch. 51-15 may result in additional civil penalties of not more than \$5,000 per violation. Such penalties are separate and in addition to any civil penalties, costs, expenses, investigation fees, and attorney fees pursuant to N.D.C.C. ch. 51-15 or any other applicable statute. Nothing in this Order is intended to limit or waive any rights and remedies available to the State of North Dakota or consumers.

NOTICE OF RIGHT TO REQUEST HEARING

YOU ARE NOTIFIED that pursuant to N.D.C.C. § 51-15-07 you may request a hearing before the Attorney General if such a request is made in writing WITHIN TEN (10) DAYS AFTER THE RECEIPT OF THIS ORDER. Respondent has the right to be represented by legal counsel at the hearing at the Respondent's expense.

Dated this 24th day of August, 2016.

STATE OF NORTH DAKOTA

Wayne Stenehjem
Attorney General

BY:



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