

1 **MARK BRNOVICH**
 2 **ATTORNEY GENERAL**
 (Firm State Bar No. 14000)
 3 **NANCY VOTTERO ANGER** (No. 006810)
 4 **ASSISTANT ATTORNEY GENERAL**
MATTHEW DU MEE (No. 028468)
 5 **ASSISTANT ATTORNEY GENERAL**
OFFICE OF THE ATTORNEY GENERAL
 1275 West Washington Street
 Phoenix, Arizona 85007-2997
 Telephone: (602) 542-8327
 Facsimile: (602) 542-4377
 Attorneys for the Plaintiff States
consumer@azag.gov

9 **IN THE UNITED STATES DISTRICT COURT**
 10 **FOR THE DISTRICT OF ARIZONA**

<p>11 Federal Trade Commission; all Fifty 12 States; and the District of Columbia;</p> <p>13 Plaintiffs,</p> <p>14 vs.</p> <p>15 Cancer Fund of America, Inc., a Delaware corporation, et al.;</p> <p>16 Defendants.</p>	<p>CASE NO. 2:15-cv-00884-NVW</p> <p>STIPULATION RE ORDER FOR PERMANENT INJUNCTION AND MONETARY JUDGMENT AGAINST CANCER FUND OF AMERICA, INC., CANCER SUPPORT SERVICES, INC., AND JAMES REYNOLDS, SR.</p>
--	---

17

18 Plaintiffs, the Federal Trade Commission (“FTC” or “Commission”) and the states
 19 of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware,
 20 Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana,
 21 Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana,
 22 Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North
 23 Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South
 24 Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West
 25 Virginia, Wisconsin, Wyoming, and the District of Columbia have filed a complaint for a
 26 permanent injunction and other equitable relief against Defendants Cancer Fund of
 27 America, Inc., also d/b/a Breast Cancer Financial Assistance Fund (“CFA”), Cancer
 28 Support Services, Inc. (“CSS”), Children’s Cancer Fund of America, Inc. (“CCFOA”),

1 and The Breast Cancer Society, Inc., also d/b/a The Breast Cancer Society of America
2 (“BCS”), James Reynolds, Sr. (“Reynolds, Sr.”), and other individuals, alleging that all
3 named Defendants violated, among other statutes, the Federal Trade Commission Act, 15
4 U.S.C. § 45, the Telemarketing and Consumer Fraud and Abuse Prevention Act
5 (“Telemarketing Act”), 15 U.S.C. §§ 6101-6108, and the Unfair and Deceptive Acts and
6 Practices and Charitable Solicitation laws of the Plaintiff States. Plaintiffs and
7 Defendants CFA, CSS, and Reynolds, Sr. stipulate to the entry of this Stipulated Order
8 for Permanent Injunction and Monetary Judgment Against Cancer Fund of America, Inc.,
9 Cancer Support Services, Inc., and James Reynolds, Sr. (“Order” or “Permanent
10 Injunction”). Plaintiffs and Defendants CFA, and CSS also stipulate to the entry of a
11 separate and concurrently filed Stipulated Order Appointing Liquidating Receiver Over
12 Cancer Fund of America, Inc., and Cancer Support Services, Inc. (“CFA and CSS
13 Receivership Order”). Together, this Order and the CFA and CSS Receivership Order
14 resolve all matters in dispute in this action between Plaintiffs and Defendants CFA, CSS,
15 and Reynolds, Sr.

16 THEREFORE, IT IS ORDERED as follows:

17 **FINDINGS**

- 18
- 19 1. This Court has jurisdiction over this matter.
 - 20 2. Venue is proper in the District of Arizona.
 - 21 3. The Complaint charges that Defendants CFA and CSS were sham charities
22 and that they, in concert with Reynolds, Sr., among others, engaged in deceptive acts or
23 practices by making false and misleading claims in charitable solicitations in violation of
24 Section 5 of the FTC Act, 15 U.S.C. § 45, the Telemarketing Sales Rule (“TSR”), 16
25 C.F.R. Part 310, and the following state statutes regulating charitable solicitations and
26 prohibiting deceptive and/or unfair trade practices:

1	Alabama:	ALA. CODE §§ 8-19-1 through -15; and 13A-9-70 through 76.
2	Alaska:	ALASKA STAT. §§ 45.50.471 through 45.50.561; and 45.68.010 through 45.68.900.
3	Arizona:	ARIZ. REV. STAT. ANN. §§ 44-1521 through 44-1534 and 44-6551 through 44-6561.
4	Arkansas:	ARK. CODE ANN. §§ 4-28-401 through 4-28-416; and §§ 4-88-101 through 4-88-115.
5	California:	CAL. GOV. CODE §§ 12580 through 12599.6; CAL. BUS. & PROF. CODE §§ 17200 through 17206; and §§ 17510 through 17510.95.
6	Colorado:	COLO. REV. STAT. §§ 6-1-101 through 115; and 6-16-101 through 114.
7	Connecticut:	CONN. GEN. STAT. §§ 21a-175 through 21a-190l; and 42-110a through 42-110q.
8	Delaware:	DEL. CODE ANN. tit. 6, § 2513(a) (1998); tit. 6, § 2532(a) (1995); and tit. 6, §§ 2595(a) – (b) (1995).
9	Florida:	FLA. STAT. ch. 501, Part II; and ch. 496 (2013).
10	Georgia:	GA. CODE ANN. §§ 43-17-1 through 43-17-23 (2011).
11	Hawaii:	HAW. REV. STAT. §§ 467B-9.6, 467B-9.7(d), and 467B-10.5; 480-15; and Act 217 §2 Haw. Sess. Laws (2014).
12	Idaho:	IDAHO CODE ANN. §§ 48-601 through 619; and 48-1201 through 1206.
13	Illinois:	225 ILL. COMP. STAT. §§ 460/0.01 through 460/23.
14	Indiana:	IND. CODE §§ 24-5-0.5-1 through -12; and §§ 23-7-8-1 through -9.
15	Iowa:	IOWA CODE § 714.16.
16	Kansas:	KAN. STAT. ANN. §§ 17-1759 through 17-1776.
17	Kentucky:	KY. REV. STAT. ANN. §§ 367.110 through 367.300.
18	Louisiana:	LA. REV. STAT. ANN. §§ 51:1401 through 1427; and 51:1901 through 1909.1.
19	Maine:	ME. REV. STAT. ANN. tit. 5, §§ 205-A through 214.
20	Maryland:	MD. CODE ANN., BUS. REG. §§ 6-101 through 6-701 (2010).
21	Massachusetts:	MASS. GEN. LAWS ch. 12 §§ 8 through 8M, 10; ch. 68 §§ 18 through 35; and ch. 93A §§ 1 through 11.
22	Michigan:	MICH. COMP. LAWS §§ 400.271 through 400.294.
23	Minnesota:	MINN. STAT. ch. 309.
24	Mississippi:	MISS. CODE ANN. §§ 79-11-501 through 79-11-529.
25	Missouri:	MO. REV. STAT. ch. 407.
26	Montana:	MONT. CODE ANN. § 30-14-103.
27	Nebraska:	NEB. REV. STAT. §§ 21-1901 through 21-19,177; 59-1601 through 59-1622; and 87-301 through 87-306.
28	Nevada:	NEV. REV. STAT. §§ 598.1305, 598.0915(15), 598.096, 598.0963, and 598.097.
	New Hampshire:	N.H. REV. STAT. ANN. §§ 7:19; 7:20; 7:21; 7:24; 7:28; 7:28-c; 7:28-f; and 641:8.

1	New Jersey:	N.J. STAT. ANN. §§ 45:17A-18 through 45:17A-32(c); 56:8-1 through 56:8-20; and N.J. ADMIN. CODE §§ 13:48-1.1 through 13:48-15.1.
2		
3	New Mexico:	N.M. STAT. §§ 57-12-1 through 57-12-22; and §§ 57-22-1 through 57-22-11 (1978).
4	New York:	N.Y. EXEC. LAW §§ 63 (12); 171-a through 175; and N.Y. GEN. BUS. LAW § 349.
5	North Carolina:	N.C. GEN. STAT. ANN. §§ 75-1.1; and 131F.
6	North Dakota:	N.D. CENT. CODE §§ 50-22-01 through 50-22-07; and 51-15-01 through 51-15-11.
7	Ohio:	OHIO REV. CODE ANN. § 1716.
8	Oklahoma:	OKLA. STAT. ANN. tit. 18 §§ 552.1 through 552.22.
9	Oregon:	OR. REV. STAT. §§ 128.886; and 646.605 through 646.636.
10	Pennsylvania:	10 PA. STAT. ANN. §§ 162.1 through .14 (1990).
11	Rhode Island:	R.I. GEN. LAWS §§ 5-53.1-1 through 5-53.1-18.
12	South Carolina:	S.C. CODE ANN. §§ 33-56-10 through 33-56-200.
13	South Dakota:	S.D. CODIFIED LAWS §§ 37-30-17 through 37-30-21; and 21-34-1 through 21-34-14.
14	Tennessee:	TENN. CODE ANN. §§ 48-101-501 through 48-101-522.
15	Texas:	TEX. BUS. & COM. CODE ANN. §§ 17.41 through 17.63.
16	Utah:	UTAH CODE ANN. §§ 13-11-1 through 13-11-23; 13-22-1 through 13-22-23; and 13-26-1 through 13-26-11.
17	Vermont:	VT. STAT. ANN. tit. 9 §§ 2453 through 2461; and 2471 through 2479.
18	Virginia:	VA. CODE ANN. §§ 57-48 through 57-69.
19	Washington:	WASH. REV. CODE §§ 19.86; and §19.09.
20	West Virginia:	W.VA. CODE §§ 29-19-1 -15b; and 46A-1-101 through 46a-6-110.
21	Wisconsin:	WIS. STAT. §§ 202.11-202.18.
22	Wyoming:	WYO. STAT. ANN. §§ 40-12-101 through 114.

23 4. Defendants CFA, CSS, and Reynolds, Sr. neither admit nor deny any of the
24 allegations in the Complaint, except as specifically stated in this Order. Only for
25 purposes of this action, these Defendants admit the facts necessary to establish
26 jurisdiction.

27 5. Defendants CFA, CSS, and Reynolds, Sr. waive any claim that they may
28 have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the
prosecution of this action through the date of this Order, and agree to bear their own costs
and attorney fees.

1 6. Defendants CFA, CSS, and Reynolds, Sr. waive all rights to appeal or
2 otherwise challenge or contest the validity of this Order.

3 7. Entry of this Order is in the public interest.

4 **DEFINITIONS**

5 For purposes of this Order, the following definitions shall apply:

6 1. “Defendants” means the individual defendant James Reynolds, Sr. and the
7 corporate defendants Cancer Fund of America, Inc., and Cancer Support Services, Inc.,
8 individually, collectively, or in any combination.

9 2. “CFA” means Cancer Fund of America, Inc., also d/b/a Breast Cancer
10 Financial Assistance Fund, and its successors and assigns.

11 3. “CSS” means Cancer Support Services, Inc., and its successors and assigns.

12 4. “Reynolds, Sr.” means individual defendant James Reynolds, Sr.

13 5. “CFA and CSS Receivership Order” means the “Stipulated Order
14 Appointing Liquidating Receiver Over Cancer Fund of America, Inc., and Cancer
15 Support Services, Inc.”

16 6. “CFA and CSS Receiver” or “Receiver” means the receiver appointed over
17 the CFA and CSS receivership estate by the CFA and CSS Receivership Order.

18 7. “Person” means a natural person, an organization or other legal entity,
19 including a corporation, partnership, sole proprietorship, limited liability company,
20 association, cooperative, or any other group or combination acting as an entity.

21 8. “Charitable contribution” means any donation or gift of money or any other
22 thing of value.

23 9. “Donor” or “consumer” means any person solicited to make a charitable
24 contribution.

25 10. “Fundraising” means a plan, program, or campaign that is conducted to
26 induce charitable contributions by mail, telephone, electronic mail, social media, or any
27 other means.

28

1 11. “Nonprofit organization” means any person that is, or is represented to be, a
2 nonprofit entity, or that has, or is represented to have, a charitable purpose, specifically
3 including but not limited to any such entity that purports to benefit, either in whole or in
4 part, individuals who suffer or have suffered from cancer.

5 12. “Plaintiff States” means the states of Alabama, Alaska, Arizona, Arkansas,
6 California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois,
7 Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts,
8 Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New
9 Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio,
10 Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota,
11 Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin,
12 Wyoming, and the District of Columbia. For purposes of Section VIII, below, the term
13 “Plaintiff States” does not include Minnesota.

14 13. “Solicitor” means any person who solicits a charitable contribution.

15 14. “Telemarketing” means a plan, program, or campaign that is conducted to
16 induce the purchase of goods or services or a charitable contribution, by use of one or
17 more telephones and that involves a telephone call, whether or not covered by the
18 Telemarketing Sales Rule.

19 15. “And” and “or” shall be construed both conjunctively and disjunctively to
20 make the applicable sentence or phrase inclusive rather than exclusive.

21 **ORDER**

22 **I. CORPORATE DISSOLUTION**

23 IT IS FURTHER ORDERED that, pursuant to the CFA and CSS Receivership
24 Order of which CFA and CSS have consented to entry, the CFA and CSS Receiver shall
25 take the steps necessary to cause CFA and CSS to be dissolved and to cease to exist as
26 corporate entities.

27
28

1 **II. PROHIBITIONS RELATED TO CHARITABLE ACTIVITIES**

2 IT IS FURTHER ORDERED that Reynolds, Sr. is permanently restrained and
3 enjoined from engaging in the following activities individually or in concert with other
4 persons or entities, directly or indirectly:

5 A. Receiving any payment or other financial benefit for: (1) participating or
6 assisting in the solicitation of charitable contributions, directly or indirectly, including by
7 advising, acting as an independent contractor or as a fundraising consultant, supplying
8 contact or donor lists, or providing caging, mail processing, or fulfillment services, or
9 (2) controlling, directly or indirectly, or holding an ownership interest in, any entity
10 engaged in the business of fundraising;

11 B. Receiving any payment or other financial benefit from any nonprofit
12 organization or other entity that holds charitable assets for any work, services, or
13 employment of any kind;

14 C. Establishing, operating, controlling, or managing any nonprofit
15 organization or other entity that holds charitable assets, or any program thereof, or
16 participating or assisting in establishing, operating, controlling, or managing any
17 nonprofit organization or other entity that holds charitable assets, directly or indirectly,
18 whether compensated or not, including by serving as a founder, incorporator, officer,
19 director, trustee, chief executive, manager, supervisor, or other fiduciary; and

20 D. Managing, controlling, directing, distributing, or accounting for the use or
21 application of any charitable asset, or participating or assisting in managing, controlling,
22 directing, distributing, or accounting for the use or application of any charitable asset,
23 directly or indirectly, whether compensated or not, including by acting as an employee,
24 independent contractor, advisor, or consultant.

25 E. **Provided that**, subject to the limitations of Sections II.A - D above,
26 Reynolds, Sr. may volunteer for his church in any capacity not prohibited by the above.

27
28

III. PROHIBITION ON MISREPRESENTATIONS

IT IS FURTHER ORDERED that Reynolds, Sr., CFA, CSS, their respective officers, agents, employees, and independent contractors, and all other persons in active concert or participation with them who receive actual notice of this Order, whether acting directly or indirectly, are hereby permanently restrained and enjoined from making material misrepresentations in connection with the sale of consumer goods or services.

IV. TELEMARKETING SALES RULE COMPLIANCE

IT IS FURTHER ORDERED that Reynolds, Sr., CFA, CSS, their respective officers, agents, employees, and independent contractors, and all other persons in active concert or participation with them who receive actual notice of this Order, whether acting directly or indirectly, are hereby permanently restrained and enjoined from violating, or assisting others in violating, any provision of the TSR, 16 C.F.R. Part 310, as currently promulgated or as it hereafter may be amended.

V. COMPLIANCE WITH STATE LAW

IT IS FURTHER ORDERED that CFA, CSS, their respective officers, agents, employees, and independent contractors, and Reynolds, Sr., whether acting directly or indirectly, are hereby permanently restrained and enjoined from violating, or assisting others in violating, any provision of the following state laws:

Alabama:	ALA. CODE §§ 8-19-1 through -15; and 13A-9-70 through 76.
Alaska:	ALASKA STAT. §§ 45.50.471 through 45.50.561; and 45.68.010 through 45.68.900.
Arizona:	ARIZ. REV. STAT. ANN. §§ 44-1521 through 44-1534 and 44-6551 through 44-6561.
Arkansas:	ARK. CODE ANN. §§ 4-28-401 through 4-28-416; and §§ 4-88-101 through 4-88-115.
California:	CAL. GOV. CODE §§ 12580 through 12599.6; CAL. BUS. & PROF. CODE §§ 17200 through 17206; and §§ 17510 through 17510.95.
Colorado:	COLO. REV. STAT. §§ 6-1-101 through 115; and 6-16-101 through 114.
Connecticut:	CONN. GEN. STAT. §§ 21a-175 through 21a-190l; and 42-110a through 42-110q.

1	Delaware:	DEL. CODE ANN. tit. 6, § 2513(a) (1998); tit. 6, § 2532(a) (1995); and tit. 6, §§ 2595(a) – (b) (1995).
2	Florida:	FLA. STAT. ch. 501, Part II; and ch. 496 (2013).
3	Georgia:	GA. CODE ANN. §§ 43-17-1 through 43-17-23 (2011).
4	Hawaii:	HAW. REV. STAT. §§ 467B-9.6, 467B-9.7(d), and 467B-10.5; 480-15; and Act 217 §2 Haw. Sess. Laws (2014).
5	Idaho:	IDAHO CODE ANN. §§ 48-601 through 619; and 48-1201 through 1206.
6	Illinois:	225 ILL. COMP. STAT. §§ 460/0.01 through 460/23.
7	Indiana:	IND. CODE §§ 24-5-0.5-1 through -12; and §§ 23-7-8-1 through -9.
8	Iowa:	IOWA CODE § 714.16.
9	Kansas:	KAN. STAT. ANN. §§ 17-1759 through 17-1776.
10	Kentucky:	KY. REV. STAT. ANN. §§ 367.110 through 367.300.
11	Louisiana:	LA. REV. STAT. ANN. §§ 51:1401 through 1427; and 51:1901 through 1909.1.
12	Maine:	ME. REV. STAT. ANN. tit. 5, §§ 205-A through 214.
13	Maryland:	MD. CODE ANN., BUS. REG. §§ 6-101 through 6-701 (2010).
14	Massachusetts:	MASS. GEN. LAWS ch. 12 §§ 8 through 8M, 10; ch. 68 §§ 18 through 35; and ch. 93A §§ 1 through 11.
15	Michigan:	MICH. COMP. LAWS §§ 400.271 through 400.294.
16	Minnesota:	MINN. STAT. ch. 309.
17	Mississippi:	MISS. CODE ANN. §§ 79-11-501 through 79-11-529.
18	Missouri:	MO. REV. STAT. ch. 407.
19	Montana:	MONT. CODE ANN. § 30-14-103.
20	Nebraska:	NEB. REV. STAT. §§ 21-1901 through 21-19,177; 59-1601 through 59-1622; and 87-301 through 87-306.
21	Nevada:	NEV. REV. STAT. §§ 598.1305, 598.0915(15), 598.096, 598.0963, and 598.097.
22	New Hampshire:	N.H. REV. STAT. ANN. §§ 7:19; 7:20; 7:21; 7:24; 7:28; 7:28-c; 7:28-f; and 641:8.
23	New Jersey:	N.J. STAT. ANN. §§ 45:17A-18 through 45:17A-32(c); 56:8-1 through 56:8-20; and N.J. ADMIN. CODE §§ 13:48-1.1 through 13:48-15.1.
24	New Mexico:	N.M. STAT. §§ 57-12-1 through 57-12-22; and §§ 57-22-1 through 57-22-11 (1978).
25	New York:	N.Y. EXEC. LAW §§ 63 (12); 171-a through 175; and N.Y. GEN. BUS. LAW § 349.
26	North Carolina:	N.C. GEN. STAT. ANN. §§ 75-1.1; and 131F.
27	North Dakota:	N.D. CENT. CODE §§ 50-22-01 through 50-22-07; and 51-15-01 through 51-15-11.
28	Ohio:	OHIO REV. CODE ANN. § 1716.
	Oklahoma:	OKLA. STAT. ANN. tit. 18 §§ 552.1 through 552.22.

1	Oregon:	OR. REV. STAT. §§ 128.886; and 646.605 through 646.636.
2	Pennsylvania:	10 PA. STAT. ANN. §§ 162.1 through .14 (1990).
3	Rhode Island:	R.I. GEN. LAWS §§ 5-53.1-1 through 5-53.1-18.
4	South Carolina:	S.C. CODE ANN. §§ 33-56-10 through 33-56-200.
5	South Dakota:	S.D. CODIFIED LAWS §§ 37-30-17 through 37-30-21; and 21-34-1 through 21-34-14.
6	Tennessee:	TENN. CODE ANN. §§ 48-101-501 through 48-101-522.
7	Texas:	TEX. BUS. & COM. CODE ANN. §§17.41 through 17.63.
8	Utah:	UTAH CODE ANN. §§ 13-11-1 through 13-11-23; 13-22-1 through 13-22-23; and 13-26-1 through 13-26-11.
9	Vermont:	VT. STAT. ANN. tit. 9 §§ 2453 through 2461; and 2471 through 2479.
10	Virginia:	VA. CODE ANN. §§ 57-48 through 57-69.
11	Washington:	WASH. REV. CODE §§ 19.86; and §19.09.
12	West Virginia:	W.VA. CODE §§ 29-19-1 -15b; and 46A-1-101through 46a-6-110.
13	Wisconsin:	WIS. STAT. §§ 202.11-202.18.
14	Wyoming:	WYO. STAT. ANN. §§ 40-12-101 through 114.

VI. COOPERATION

IT IS FURTHER ORDERED that CFA, CSS, and Reynolds, Sr. must cooperate fully with Plaintiffs' representatives in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. CFA, CSS, and Reynolds, Sr. must provide truthful and complete information, evidence, and testimony. Reynolds, Sr. must appear, and CFA and CSS must cause their officers, employees, representatives, or agents to appear for interviews, discovery, hearings, trials, and any other proceedings that any Plaintiff's representative may reasonably request upon five days written notice, or other reasonable notice, at such places and times as any Plaintiff's representative may designate, without the service of a subpoena.

VII. MONETARY JUDGMENT

IT IS FURTHER ORDERED that judgment is hereby entered against Defendants as follows:

A. Judgment in the amount of Seventy-Five Million, Eight Hundred Twenty-Five Thousand, Six Hundred Fifty-Three Dollars (\$75,825,653) is entered in

1 favor of Plaintiffs against CFA, CSS, and Reynolds, Sr., jointly and severally, as
2 equitable monetary relief;

3 B. Payments by CFA and CSS:

4 1. In partial satisfaction of this judgment, the CFA and CSS Receiver
5 shall take the necessary steps to wind down the affairs of CFA and CSS and
6 liquidate their assets in the manner set forth in the CFA and CSS Receivership
7 Order, and deposit all net assets to the short term court ordered trust fund
8 (hereinafter "STCO Fund") described in Section VIII.E, below;

9 2. Payments made by the CFA and CSS Receiver to the STCO Fund on
10 behalf of CFA and CSS shall be credited toward satisfaction of the judgment
11 against CFA and CSS;

12 C. Payments by Reynolds, Sr.:

13 1. Reynolds, Sr. shall, within five days of entry of this Order, transfer
14 ownership, possession, custody, and control, together with any documents of title
15 or authenticity necessary for sale, to the CFA and CSS Receiver of the following
16 items, which are described more fully in the financial statements specified in
17 Section VII.C.3, below:

- 18 a) 15 framed art prints;
- 19 b) 5 Remington statues;
- 20 c) 50 collector beer steins; and
- 21 d) 1 Versa 9 mm pistol and 1 Smith & Wesson 9 mm pistol.

22 Reynolds, Sr. shall forever waive, release, discharge, and disclaim all right, title,
23 and interest in these items. The CFA and CSS Receiver shall be authorized to sell
24 these items and to credit the net proceeds of the sale to the outstanding debt owed
25 by Reynolds, Sr. to CFA. Reynolds, Sr. shall fully cooperate with the efforts of
26 the CFA and CSS Receiver to sell these items.

27 2. Reynolds, Sr. shall immediately take specific steps necessary to sell, for
28 Fair Market Value to a third-party buyer, his 2009 Premier Boundary Waters Sky

1 Deck pontoon boat (“boat”) identified in the Financial Statements specified in
2 Section VII. C.3, below, and, within three days of the boat’s sale, pay to the STCO
3 Fund identified in Section VIII.E below, the proceeds of the sale, after paying off
4 any existing loan or other monetary obligation owed on the boat, subject to the
5 following:

6 a) Reynolds, Sr. shall immediately advertise the boat for sale through
7 an online auction service or place the boat for sale through an appropriate
8 broker or boat listing service and provide notice to Plaintiffs of the
9 proposed sale price;

10 b) Reynolds, Sr., represents that no encumbrances have been added to
11 the boat since he provided his sworn financial statement of June 26, 2015,
12 and that he will make the loan repayments due on the boat loan and not
13 otherwise add any encumbrances after signing this Order, except as needed
14 to secure his performance under this Section;

15 c) Until the boat is sold, Reynolds, Sr. shall i) maintain the boat in
16 good working order and in the same condition as reported in his sworn
17 financial statement of June 26, 2015; ii) take no action to diminish the value
18 of the boat; iii) remain current on all amounts due and payable on the boat,
19 including but not limited to tax, insurance, reasonable and necessary
20 maintenance, registration, and similar fees; and iv) cause existing
21 insurance coverage for the boat to remain in force until any transfer of
22 ownership. In the event that the boat suffers any loss or damage covered by
23 such insurance policy, Reynolds, Sr. shall make such claims as are
24 permitted by the insurance policy and shall assign or remit any insurance
25 payment they receive as a result of such loss or damage to the STCO Fund
26 described in Section VIII.E, below;

27 d) If, after 90 days from the date of entry of this Order, the boat has not
28 been sold, Reynolds, Sr. shall immediately either i) retain an auction

1 company, direct such auction company to sell the boat at a public auction,
2 and pay the net proceeds to the STCO fund, or ii) surrender possession,
3 custody, and control of the boat to the lender holding the lien on the boat
4 and deliver notice of such surrender to Plaintiffs' counsel; and

5 e) Reynolds, Sr. shall in no way profit from the sale of the boat,
6 including by sharing in any sales commission or fee, or by receiving
7 anything of value in kind. Upon sale of the boat, Reynolds, Sr. shall
8 forever waive, release, discharge, and disclaim all right, title, and interest in
9 the boat.

10 3. Further execution of the monetary judgment shall be suspended as to
11 Reynolds, Sr., subject to Sections VII.C.4-5, below. Plaintiffs' agreement to the
12 suspension of the judgment owed by Reynolds, Sr. is expressly premised upon the
13 truthfulness, accuracy, and completeness of Reynolds, Sr.'s sworn financial
14 statements and related documents submitted to Plaintiffs, namely, the Financial
15 Statement of Individual, signed on June 26, 2015 (including attachments),
16 additional financial information provided on June 30, 2015; July 15, 2015; August
17 14, 2015; September 17 - 21, 2015; January 22, 2016, and February 2, 2016; and
18 the sworn financial interview of Reynolds, Sr. on September 15, 2015.

19 4. The suspension of the judgment will be lifted as to Reynolds, Sr. if, upon
20 motion by any Plaintiff, the Court finds that Reynolds, Sr. failed to disclose any
21 material asset, materially misstated the value of any asset, or made any other
22 material misstatement or omission in the representations made in the sworn
23 financial statements and related documents identified Section VII.C.3, above. If
24 the suspension of the judgment is lifted pursuant to this provision, the judgment
25 becomes immediately due in the amount specified in Section VII.A above as to
26 Reynolds, Sr. (which the Parties stipulate for purposes only of this Section
27 represents the consumer injury alleged in the Complaint for which Reynolds, Sr. is
28 jointly and severally liable with CFA and CSS), less any payment previously made

1 pursuant to this Section, plus interest computed from the date of entry of this
2 Order.

3 5. The suspension of the judgment will be lifted as to Reynolds, Sr. if, upon
4 motion by any Plaintiff State, the Court finds that Reynolds, Sr. has violated any
5 provision of Section II, above, and a judgment in the amount set forth in Section
6 VII.A above, less any prior payments by Reynolds, Sr., CFA, or CSS, becomes
7 immediately due as to Reynolds, Sr. The judgment amount shall be payable to the
8 moving Plaintiff State, which shall use any money collected pursuant to the
9 requirements of Section VIII.E.2, below.

10 **VIII. ADDITIONAL MONETARY PROVISIONS**

11 IT IS FURTHER ORDERED that:

12 A. CFA, CSS, and Reynolds, Sr. relinquish dominion and all legal and
13 equitable right, title, and interest in all assets transferred pursuant to this Order and the
14 CFA and CSS Receivership Order, and may not seek the return of any assets;

15 B. The facts alleged in the Complaint will be taken as true, without further
16 proof, in any subsequent civil litigation by or on behalf of the Plaintiffs or the CFA and
17 CSS Receiver, including in a proceeding to enforce their rights to any payment or
18 monetary judgment pursuant to this Order, such as a nondischargeability complaint in
19 any bankruptcy case;

20 C. The facts alleged in the Complaint establish all elements necessary to
21 sustain an action by Plaintiffs pursuant to Section 523(a)(2)(A) of the Bankruptcy Code,
22 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral estoppel effect for such
23 purposes;

24 D. CFA, CSS, and Reynolds, Sr. acknowledge that their Taxpayer
25 Identification Numbers, Social Security Numbers and/or Employer Identification
26 Numbers, which Defendants previously submitted to Plaintiffs, may be used for
27 collecting and reporting on any delinquent amount arising out of this Order, in
28 accordance with 31 U.S.C. § 7701; and

1 E. Payment to the Plaintiff States:

2 1. All money paid to the Plaintiff States pursuant to this Order shall be
3 made by wire transfer to the Litigation Deposits Trust Fund (Fund Code “T-xx-909N”),
4 an interest bearing trust fund held by the Hawaii Attorney General’s Office in trust for
5 the Plaintiff States (“the short-term court ordered trust fund” or “STCO Fund”);

6 2. The STCO Fund shall be used to pay: (a) pursuant to cy pres,
7 qualifying charitable organizations with charitable purposes substantially similar to the
8 purposes for which CFA and CSS solicited funds, and (b) the Plaintiff States to reimburse
9 costs of the investigation and litigation and to pay attorneys’ fees. When payment(s)
10 from the STCO Fund are appropriate, the Plaintiff States shall submit to this Court a
11 Motion and Proposed Order recommending cy pres recipients and the amounts to be paid
12 to such recipients and/or the amounts to be paid to reimburse the Plaintiff States for their
13 costs and attorneys’ fees. The Hawaii Attorney General shall distribute monies from the
14 STCO Fund only as authorized and directed by this Court. CFA, CSS, and Reynolds, Sr.
15 have no right to challenge any recommendations regarding monetary distributions made
16 by the Plaintiff States.

17 **IX. ORDER ACKNOWLEDGMENTS**

18 IT IS FURTHER ORDERED that Reynolds, Sr. provide acknowledgment of
19 receipt of this Order:

20 A. Reynolds, Sr., within seven days of entry of this Order, must submit to
21 Plaintiff Federal Trade Commission an acknowledgment of receipt of this Order sworn
22 under penalty of perjury;

23 B. For five years after entry of this Order, Reynolds, Sr., for any business that
24 he, individually or collectively with any other Defendant named in this matter, is the
25 majority owner or controls directly or indirectly, must deliver a copy of this Order to:
26 (1) all principals, officers, directors, and LLC managers and members; (2) all employees,
27 agents, and representatives who participate in conduct related to the subject matter of this
28 Order; and (3) any business entity resulting from any change in structure as set forth in

1 Section X below. Delivery must occur within seven days of entry of this Order for
2 current personnel. For all others, delivery must occur before they assume their
3 responsibilities; and

4 C. From each individual or entity to which Reynolds, Sr. delivered a copy of
5 this Order, Reynolds, Sr. must obtain, within 30 days, a signed and dated
6 acknowledgment of receipt of this Order.

7 **X. COMPLIANCE REPORTING**

8 IT IS FURTHER ORDERED that Reynolds, Sr. make timely submissions to
9 Plaintiff Federal Trade Commission.

10 A. One year after entry of this Order, Reynolds, Sr. must submit a compliance
11 report, sworn under penalty of perjury. Reynolds, Sr. must:

12 1. Identify all his telephone numbers and all physical, postal, email and
13 Internet addresses, including all residences;

14 2. Identify all his business activities, including any business for which
15 he performs services whether as an employee or otherwise and any entity in which
16 he has any ownership interest;

17 3. Describe in detail his involvement in each such business, including
18 title, role, responsibilities, participation, authority, control, and any ownership;

19 4. Identify all such businesses by all of their names, telephone
20 numbers, and physical, postal, email, and Internet addresses;

21 5. Describe the activities of each business, including the goods and
22 services offered, the means of advertising, marketing, sales, methods of payment,
23 and the involvement of any other Defendant named in this matter (which
24 Reynolds, Sr. must describe if he knows or should know due to his own
25 involvement);

26 6. Identify the primary physical, postal, and email address and
27 telephone number, as designated points of contact, which Plaintiffs or their
28 representatives may use to communicate with him;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 7. For any activity with any nonprofit organization:
 - a. identify each such nonprofit organization by all of its names, telephone number[s], and physical, postal, email, and Internet addresses; and
 - b. describe in detail his involvement in each such nonprofit organization, including any title, role, responsibilities, participation, authority, and control;

8. Describe in detail whether and how Reynolds, Sr. is in compliance with each Section of this Order; and

9. Provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to Plaintiff Federal Trade Commission.

B. For ten years after entry of this Order, Reynolds, Sr. must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:

1. Reynolds, Sr. must report any change in: (a) any designated point of contact; or (b) the structure of any entity that he has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Reynolds, Sr. must report any change in: (a) name, including aliases or fictitious names, or residence address; or (b) title or role in any business activity, including any business for which he performs services, whether as an employee or otherwise, and any entity in which he has any ownership interest or controls, directly or indirectly, and identify the name, physical address, and any Internet address of the business or entity.

1 C. Reynolds, Sr. must submit notice of the filing of any bankruptcy petition,
2 insolvency proceeding, or similar proceeding by or against him within 14 days of its
3 filing.

4 D. Any submission required by this Order to be sworn under penalty of perjury
5 must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: “I
6 declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct. Executed on [date] at [location]” and supplying the date,
8 location, signatory’s full name, title (if applicable), and signature.

9 E. Unless otherwise directed by a Commission representative in writing, all
10 submissions to Plaintiff Federal Trade Commission pursuant to this Order must be
11 emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

12 Associate Director for Enforcement,
13 Bureau of Consumer Protection,
14 Federal Trade Commission,
15 600 Pennsylvania Avenue NW,
16 Washington, DC 20580

17 The subject line of each submission must begin: FTC v. Cancer Fund of America, et al.

18 **XI. RECORDKEEPING**

19 IT IS FURTHER ORDERED that Reynolds, Sr. must create certain records for ten
20 years after entry of this Order, and retain each such record for five years. Specifically,
21 for any business that he, individually or collectively with any other Defendant named in
22 this matter, is a majority owner or controls directly or indirectly, he must create and
23 retain the following records:

24 A. Accounting records showing revenues from all goods or services sold or
25 billed;

26 B. Personnel records showing, for each person providing services, whether as
27 an employee or otherwise, that person’s name; address; telephone number; job title or
28 position; dates of service; and reason for termination (if applicable);

1 C. Records of all consumer complaints, whether received directly or indirectly,
2 such as through a third party, and any response;

3 D. All records necessary to demonstrate full compliance with each provision
4 of this Order, including all submissions to Plaintiff Federal Trade Commission; and

5 E. A copy of each unique advertisement or other marketing material.

6 **XII. COMPLIANCE MONITORING**

7 IT IS FURTHER ORDERED that, for purposes of monitoring Reynolds, Sr.'s
8 compliance with this Order, including the accuracy of the financial representations upon
9 which the judgment was suspended:

10 A. Within 14 days of receipt of a written request from a representative of any
11 Plaintiff, Reynolds, Sr. must submit additional compliance reports or other requested
12 information, which must be sworn under penalty of perjury; appear for depositions; and
13 produce documents for inspection and copying. Plaintiffs are also authorized to obtain
14 discovery, without further leave of court, using any of the procedures prescribed by
15 Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34,
16 36, 45, and 69.

17 B. For matters concerning this Order, Plaintiffs are authorized to communicate
18 directly with Reynolds, Sr. Reynolds, Sr. must permit representatives of any Plaintiff to
19 interview any employee or other person affiliated with him who has agreed to such an
20 interview. The person interviewed may have counsel present.

21 C. Plaintiffs may use all other lawful means, including posing, through their
22 representatives, as consumers, suppliers, or other individuals or entities, to Reynolds, Sr.
23 or any individual or entity affiliated with him, without the necessity of identification or
24 prior notice. Nothing in this Order limits Plaintiff Federal Trade Commission's lawful
25 use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C.
26 §§ 49, 57b-1, or the Plaintiff States' lawful use of relevant state laws governing pre-suit
27 investigation and discovery.

28

1 D. Upon written request from a representative of the Commission or any
2 Plaintiff State, any consumer reporting agency must furnish a consumer report
3 concerning Reynolds, Sr. pursuant to Section 604(1) of the Fair Credit Reporting Act, 15
4 U.S.C. §1681b(a)(1).

5 **XIII. RETENTION OF JURISDICTION**

6 IT IS FURTHER ORDERED that that this Court retains jurisdiction of this matter
7 for purposes of construction, modification, and enforcement of this Order.

8 **XIV. STATE COURT ENFORCEMENT**

9 Without limiting the above provisions, CFA, CSS, and Reynolds, Sr. agree that the
10 provisions of Sections II, III, and V of this Order may be enforced by any Plaintiff State
11 in a court of general jurisdiction in that Plaintiff's state if that Plaintiff State has reason to
12 believe that persons in its state have been affected. Defendants CFA, CSS, and Reynolds,
13 Sr. consent to any such court's jurisdiction for purposes of enforcing the terms of
14 Sections II, III, and V of this Order.

15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 SO STIPULATED AND AGREED:

2

3

4

5

Feb. 2,
6 Date, 2016

7

8

9

10

11

12

13

Feb. 2,
14 Date, 2016

15

16

17

18

19

20

21

22

23

24

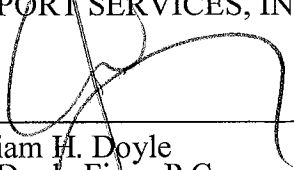
25

26

27

28

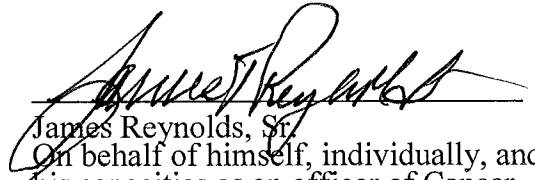
FOR DEFENDANTS JAMES
REYNOLDS, SR.; CANCER FUND OF
AMERICA, INC.; and CANCER
SUPPORT SERVICES, INC.



William H. Doyle
The Doyle Firm, P.C.
1313 E. Osborn Rd., Suite 220
Phoenix, AZ 85014
wdoyle@doylelawgroup.com
(602) 240-6711

Attorney for James Reynolds, Sr.,
Cancer Fund of America, Inc., and
Cancer Support Services, Inc.

JAMES REYNOLDS, SR.




James Reynolds, Sr.
On behalf of himself, individually, and in
his capacities as an officer of Cancer
Fund of America, Inc., and Cancer
Support Services, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR PLAINTIFF FEDERAL TRADE
COMMISSION:

Date: March 28, 2016



Charles A. Harwood
Regional Director
Tracy S. Thorleifson
Krista K. Bush
Sophie H. Calderón
Connor B. Shively
Federal Trade Commission
915 Second Ave., Suite 2896
Seattle, WA 98174
tthorleifson@ftc.gov
kbush@ftc.gov
scalderon@ftc.gov
cshively@ftc.gov
(206) 220-6350 (telephone)
Attorneys for Plaintiff Federal Trade
Commission

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEW MEXICO

By: 

Elizabeth Korsmo (NM Bar # 8989)*

Assistant Attorney General

Office of Attorney General Hector Balderas

408 Galisteo St.

Santa Fe, New Mexico 87501

ekorsmo@nmag.gov


Telephone: (505) 827-6000

Attorney for Plaintiff State of New Mexico

Signed March 1, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF ARIZONA

By: 
Nancy V. Anger (AZ Bar 006810)
Matthew du Mee (AZ Bar 028468)
Assistant Attorneys General
Office of Attorney General Mark Brnovich
1275 West Washington
Phoenix, Arizona 85007-2997
Nancy.Anger@azag.gov
Matthew.duMee@azag.gov
Telephone: (602) 542-3725
Attorney for Plaintiff State of Arizona

Signed March 2, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF ALABAMA

By: *Tina C. Hammonds*

Tina C. Hammonds

AL Bar # ASB-6346-T64J

Assistant Attorney General

Office of Attorney General Luther Strange

501 Washington Ave.

Montgomery, AL 36104-0152

Email: thammonds@ago.state.al.us


Telephone: (334) 242-7355

Attorney for Plaintiff State of Alabama

Signed March 3, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF ALASKA

By: 
Cynthia C. Drinkwater (AK Bar #8808159)
Assistant Attorney General
Office of Attorney General Craig W. Richards
1031 W. 4th Ave., Suite 200
Anchorage, AK 99501
Email: cynthia.drinkwater@alaska.gov
Telephone: (907) 269-5200
Attorney for Plaintiff State of Alaska

Signed February 22, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

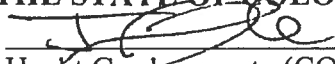
FOR THE STATE OF ARKANSAS
By: John Alexander
John Alexander (AR Bar #2015248)
Assistant Attorney General
Office of Attorney General Leslie Rutledge
323 Center St., Suite 500
Little Rock, AR 72201
Email: John.Alexander@ArkansasAG.gov
Telephone: (501) 682-8063
Attorney for Plaintiff State of Arkansas
Signed March 2, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

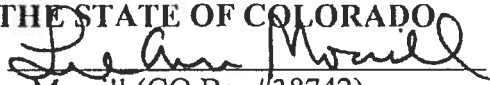
FOR THE STATE OF CALIFORNIA
By: *Sonja Berndt by James Jones*
Sonja K. Berndt (CA State Bar #131358)
Deputy Attorney General
Office of Attorney General Kamala D. Harris
300 S. Spring St., Suite 1702
Los Angeles, CA 90013
Email: sonja.berndt@doj.ca.gov
Telephone: (213) 897-2179
Attorney for Plaintiff State of California
Signed March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF COLORADO

By: 
Alissa Hecht Gardenswartz (CO Bar #36126)
Deputy Attorney General
John Feeney-Coyle (CO State Bar #44970)
Assistant Attorney General
Office of Atty General Cynthia H. Coffman
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 7th Floor
Denver, CO 80203
Email: alissa.gardenswartz@state.co.us
john.feeney-coyle@state.co.us
Telephone: (720) 508-6204 (Gardenswartz)
(720) 508-6232 (Feeney-Coyle)
Attorneys for Plaintiff State of Colorado
Signed March 11, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF COLORADO
By: 
LeeAnn Morrill (CO Bar #38742)
First Assistant Attorney General
Public Officials Unit
Office of Atty General Cynthia H. Coffman
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 6th Floor
Denver, Colorado 80203
Email: leeann.morrill@state.co.us
Telephone: (720) 508-6159
Attorney for Plaintiff Secretary of State Wayne Williams
Signed March 11, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF CONNECTICUT

By: 

(Gary W. Hawes (CT State Bar #415091))

Assistant Attorney General

Office of Attorney General George Jepsen

55 Elm St., P.O. Box 120

Hartford, CT 06141-0120

Email: gary.hawes@ct.gov

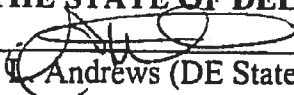
Telephone: (860) 808-5020

Attorney for Plaintiff State of Connecticut

Signed , 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF DELAWARE

By: 
Gillian ~~U.~~ Andrews (DE State Bar #5719)
Deputy Attorney General
Office of the Attorney General Matthew P. Denn
Consumer Protection Unit
820 N. French Street, 5th Floor
Wilmington, DE 19801
Email: gillian.andrews@state.de.us
Telephone: (302) 577-8844 (Andrews)
Attorney for Plaintiff State of Delaware
Signed March 11, 2016

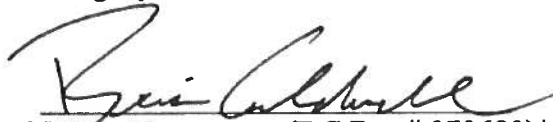
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE DISTRICT OF COLUMBIA

KARL A. RACINE
Attorney General for the District of Columbia

ELIZABETH SARAH GERE
Deputy Attorney General
Public Interest Division

BENNETT RUSHKOFF
Assistant Deputy Attorney General
Public Integrity Unit

By: 
BRIAN R. CALDWELL (DC Bar # 979680)*
Assistant Attorney General
Office of Attorney General Karl A. Racine
441 Fourth Street, N.W., Suite 650-S
Washington, D.C. 20001
Telephone: (202) 727-6211
Brian.caldwell@dc.gov

* Admitted *pro hac vice*

Attorney for Plaintiff District of Columbia

Signed: March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF FLORIDA

By: W. Armistead
William Armistead (FL State Bar #88535)

Assistant Attorney General
Office of Attorney General Pam Bondi

PL-01 The Capitol
Tallahassee, FL 32399

Email: William.Armistead@myfloridalegal.com

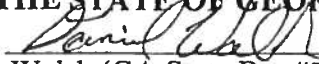
Telephone: (850) 414-3805

Attorney for Plaintiff State of Florida

Signed FEB 23, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF GEORGIA

By: 

Daniel Walsh (GA State Bar #735040)

Senior Assistant Attorney General

Office of Attorney General Sam Olens

Department of Law, State of Georgia

40 Capitol Square, SW

Atlanta, GA 30334-1300

Email: dwalsh@law.ga.gov

Telephone: (404) 657-2204

Attorney for Plaintiff State of Georgia

and Georgia Secretary of State

Signed MARCH 2, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF HAWAII
By: Jodi L. K. Yi
Hugh R. Jones (HI State Bar #4783)
Supervising Deputy Attorney General
Jodi L. K. Yi (HI State Bar #6625)
Deputy Attorney General
Office of Attorney General Douglas S. Chin
425 Queen St.
Honolulu, HI 96813
Email: Hugh.R.Jones@Hawaii.gov
Jodi.K.Yi@Hawaii.gov
Telephone: (808) 586-1470
Attorneys for Plaintiff State of Hawaii
Signed March 3, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF IDAHO

By: Jane E. Hochberg

Jane E. Hochberg (ID State Bar #5465)

Deputy Attorney General

Office of Attorney General Lawrence G. Wasden

Consumer Protection Division

954 W. Jefferson St., 2nd Floor

Boise, ID 83702

Email: jane.hochberg@ag.idaho.gov

Telephone: (208) 334-2424

Attorney for Plaintiff State of Idaho

Signed Feb 17, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF ILLINOIS

By: *Therese M. Harris*

Therese M. Harris (IL State Bar #6190609)

Barry S. Goldberg (IL State Bar #6269821)

Assistant Attorneys General

Office of Attorney General Lisa Madigan

100 West Randolph St., 11th Floor

Chicago, IL 60601

Email: tharris@atg.state.il.us

bgoldberg@atg.state.il.us

Telephone: (312) 814-2595

Attorneys for Plaintiff State of Illinois

Signed FEBRUARY 22, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF INDIANA

By: *Richard M. Bramer*
Richard M. Bramer (IN State Bar #15989-77)

Deputy Attorney General and Director

Consumer Protection Division

Office of Attorney General Gregory F. Zoeller

302 W. Washington St., 5th Floor

Indianapolis, IN 46204

Email: richard.bramer@atg.in.gov

Telephone: (317) 232-1008

Attorney for Plaintiff State of Indiana

Signed *February 10*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF IOWA

By: 
Steve St. Clair (IA State Bar # AT 0007441)

Assistant Attorney General
Office of Attorney General Tom Miller
1305 E. Walnut, 2nd Floor
Des Moines, IA 50319

Email: steven.stclair@iowa.gov


Telephone: (515) 281-3731

Attorney for Plaintiff State of Iowa

Signed February 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF KANSAS

By: 
Lynette R. Bakker (KS State Bar #22104)
Assistant Attorney General
Office of Attorney General Derek Schmidt
120 S.W. 10th Ave., 2nd Floor
Topeka, KS 66612
Email: lynette.bakker@ag.ks.gov
Telephone: (785) 296-3751
Attorney for Plaintiff State of Kansas

Signed February 17, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE COMMONWEALTH OF KENTUCKY

By: *Leah Cooper Boggs*
Leah Cooper Boggs (KY State Bar #83471)
John Ghaelian (KY State Bar #94987)
Assistant Attorneys General
Office of Attorney General Andy Beshear
1024 Capital Center Drive
Frankfort, KY 40601
Email: John.Ghaelian2@ky.gov
Leah.Boggs@ky.gov
Telephone: (502) 696-5389
Attorneys for Plaintiff
Commonwealth of Kentucky
Signed *March 7*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF LOUISIANA

By: Cathryn E. Gits
Cathryn E. Gits (LA State Bar #35144)

Assistant Attorney General
Office of Attorney General Jeff Landry
1885 N. Third St.

Baton Rouge, LA 70802

Email: gitsc@ag.state.la.us

Telephone: (225) 326-6400

Attorney for Plaintiff State of Louisiana

Signed March 1st, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MAINE

By: Carolyn A. Silsby
Carolyn A. Silsby (ME Bar # 3030)

Assistant Attorney General
Office of Attorney General Janet T. Mills
Burton M. Cross Office Building
111 Sewall St.

6 State House Station
Augusta, ME 04333

Email: carolyn.silsby@maine.gov

Telephone: (207) 626-8829

Attorney for Plaintiff State of Maine


Signed Feb. 12, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MARYLAND
By: Josaphine B. Yuzuik
Josaphine B. Yuzuik
Assistant Attorney General
Maryland Office of the Attorney General
Office of the Secretary of State
16 Francis Street
Annapolis, MD 21401
(410) 260-3855 (phone)
(410) 974-5527 (facsimile)
*Attorney for Plaintiffs State of Maryland
and Secretary of State John Wobensmith*
Signed March 11, 2016

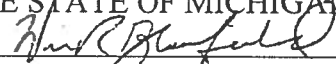
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE COMMONWEALTH OF
MASSACHUSETTS

By: 

Brett J. Blank (MA State Bar #686635)
Assistant Attorney General
Non-Profit Organizations/Public Charities Div.
Office of Attorney General Maura Healey
One Ashburton Place, 18th Floor
Boston, MA 02108
Email: brett.blank@state.ma.us
Telephone: (617) 727-2200
Attorney for Plaintiff Commonwealth of Massachusetts
Signed March 2, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MICHIGAN
By: 
William R. Bloomfield (MI Bar #P68515)
Assistant Attorney General
Department of Atty General Bill Schuette
Corporate Oversight Division
525 W. Ottawa St., 6th Floor
Lansing, MI 48933
Email: bloomfieldw@michigan.gov
Telephone: (517) 373-1160
Attorney for Plaintiff State of Michigan
Signed March 2, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MINNESOTA

By: 

Joshua J. Skaar (MN Bar #0396711)

Assistant Attorney General

Office of Attorney General Lori Swanson

Bremer Tower, Suite 1200

445 Minnesota St.

St. Paul, MN 55101-2130

Email: josh.skaar@ag.state.mn.us

Telephone: (651) 757-1004

Attorney for Plaintiff State of Minnesota

Signed March 23, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MISSISSIPPI

By: Tanya Webber

Tanya Webber (MS State Bar #99405)
Assistant Secy of State – Charities Division
Office of Secretary of State Delbert Hosemann
125 S. Congress St.
Jackson, MS 39201

Email: Tanya.webber@sos.ms.gov

Telephone: (601) 359-6742

*Attorney for Plaintiff Secretary
of State of Mississippi*

Signed March 1, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MISSOURI

By: 

Robert E. Carlson (MO State Bar #54602)

Senior Assistant Attorney General

Office of Attorney General Chris Koster

815 Olive St., Suite 200

St. Louis, MO 63101

Email: bob.carlson@ago.mo.gov

Telephone: (314) 340-6816

Attorney for Plaintiff State of Missouri

Signed 2/17, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF MONTANA

By: Kelley L. Hubbard
E. Edwin Eck (MT State Bar #414)
Deputy Attorney General
Kelley L. Hubbard (MT State Bar #9604)
Assistant Attorney General
Office of Attorney General Timothy C. Fox
P. O. Box 200151
Helena, MT 59601
Email: EdEck@mt.gov
khubbard@mt.gov
Telephone: (406) 444-2026
Attorneys for Plaintiff State of Montana

Signed March 7, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEBRASKA

By: *Daniel J. Russell*

Daniel J. Russell (NE State Bar #25302)

Assistant Attorney General

Office of Attorney General Douglas Peterson

2115 State Capitol

PO Box 98920

Lincoln, NE 68509

Email: daniel.russell@nebraska.gov

Telephone: (402) 471-1279

Attorney for Plaintiff State of Nebraska

Signed March 8, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEVADA

By: *JoAnn Gibbs*
JoAnn Gibbs (NV State Bar # 005324)
Chief Multistate Counsel
Office of Attorney General Adam Paul Laxalt
Bureau of Consumer Protection
10791 W. Twain Ave., Suite 100
Las Vegas, NV 89135
Email: jgibbs@ag.nv.gov
Telephone: (702) 486-3789
Attorney for Plaintiff State of Nevada
Signed *February 29*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEW HAMPSHIRE

By: 

Thomas J. Donovan (NH State Bar #664)

Director of Charitable Trusts

Office of Attorney General Joseph A. Foster

33 Capitol St.

Concord, NH 03301

Email: tom.donovan@doj.nh.gov


Telephone: (603) 271-1288

Attorney for Plaintiff State of New Hampshire

Signed March 8, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEW JERSEY

By: 
Erin M. Greene (NJ State Bar #014512010)
Deputy Attorney General
State of New Jersey
Office of the Attorney General
Division of Law
124 Halsey St.
P.O. Box 45029
Newark, NJ 07101
Email: erin.greene@dol.lps.state.nj.us
Telephone: (973) 648-4846
Attorney for Plaintiff State of New Jersey
Signed March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NEW YORK

By: 

Sean Courtney (NY State Bar #2085363)

Yael Fuchs (NY State Bar # 4542684)

Assistant Attorneys General

Office of Atty General Eric T. Schneiderman

120 Broadway

New York, NY 10271

Email: sean.courtney@ag.ny.gov

yael.fuchs@ag.ny.gov

Telephone: (212) 416-8402

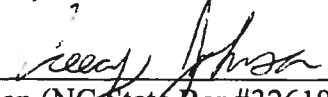
Attorneys for Plaintiff State of New York

Signed March 9, 2016

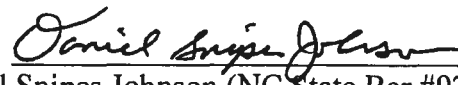
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NORTH CAROLINA

ROY COOPER, ATTORNEY GENERAL

By: 
Creecy Johnson (NC State Bar #32619)
Special Deputy Attorney General
Office of Attorney General Roy Cooper
9001 Mail Service Center
Raleigh, NC 27699
Email: ccjohnson@ncdoj.gov
Telephone: (919) 716-6000

ELAINE F. MARSHALL, SECRETARY OF STATE


By: 
Daniel Snipes Johnson (NC State Bar #9289)
Special Deputy Attorney General
Counsel for North Carolina Secretary of State Elaine
F. Marshall
P.O. Box 629
Raleigh, NC 27699
Email: djohnson@ncdoj.gov
Telephone: (919) 716-6610

Signed March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF NORTH DAKOTA

STATE OF NORTH DAKOTA
Wayne Stenehjem
Attorney General

By: 

Elin S. Alm (ND Bar # 05924)
Assistant Attorney General
Office of Atty General Wayne Stenehjem
Consumer Protection and Antitrust Div.
Gateway Professional Center
1050 E. Interstate Ave., Ste. 200
Bismarck, ND 58503
Email: ealm@nd.gov
Telephone: (701) 328-5570

Attorney for Plaintiff State of North Dakota

Signed Feb. 16, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

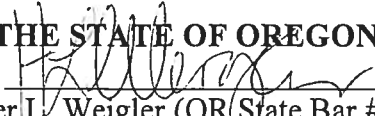
FOR THE STATE OF OHIO
By: *Kristine Hayes*
Kristine Hayes (OH State Bar #0069778)
Associate Assistant Attorney General
Office of Attorney General Mike DeWine
150 E. Gay St., 23rd Floor
Columbus, OH 43215
Email: kristine.hayes@ohioattorneygeneral.gov
Telephone: (614) 466-3181
Attorney for Plaintiff State of Ohio
Signed *12 February*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF OKLAHOMA
By: Malisa McPherson
Malisa McPherson (OK State Bar #32070)
Assistant Attorney General
Consumer Protection Unit
Office of Attorney General E. Scott Pruitt
313 N.E. 21st St.
Oklahoma City, OK 73105
Email: Malisa.mcpherson@oag.ok.gov
Telephone: (405) 522-1015
Attorney for Plaintiff State of Oklahoma
Signed March 11, 2016


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF OREGON

By: 
Heather L. Weigler (OR State Bar #03590)
Assistant Attorney General
Office of Attorney General Ellen Rosenblum
1515 SW 5th Ave., Suite 410
Portland, OR 97201
Email: heather.l.weigler@state.or.us
Telephone: (971) 673-1880
Attorney for Plaintiff State of Oregon
Signed Mardi 9, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


**FOR THE COMMONWEALTH OF
PENNSYLVANIA**

By: 
MICHAEL T. FOERSTER (PA Bar #78766)
Senior Deputy Attorney General
Office of Attorney General
14th Floor Strawberry Square
Harrisburg, Pennsylvania 17120
Email: mfoerster@attorneygeneral.gov
Telephone: (717) 783-2853

GENE J. HERNE (PA Bar #82033)
Senior Deputy Attorney General-in-Charge
Charitable Trusts and Organizations Section
Office of Attorney General
564 Forbes Ave., 6th Floor Manor Complex
Pittsburgh, Pennsylvania 15219
Email: eherne@attorneygeneral.gov
Telephone: (412) 565-3581

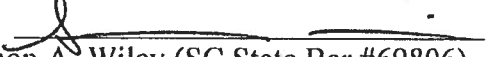
Attorneys for Plaintiff Commonwealth of Pennsylvania
Signed February 18, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF RHODE ISLAND
By: 
Genevieve M. Martin (RI State Bar #3918)
Assistant Attorney General
Dept. of Attorney General Peter F. Kilmartin
150 South Main St.
Providence, RI 02903
Email: gmartin@riag.ri.gov
Telephone: (401) 274-4400 x2300
Attorney for Plaintiff State of Rhode Island
Signed 3/4, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF SOUTH CAROLINA

By: 
Shannon A. Wiley (SC State Bar #69806)

General Counsel

Office of Secretary of State Mark Hammond

1205 Pendleton St., Suite 525

Columbia, SC 29201

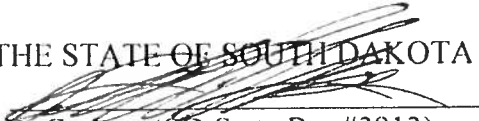
Email: swiley@sos.sc.gov

Telephone: (803) 734-0246

Attorney for Plaintiff State of South Carolina

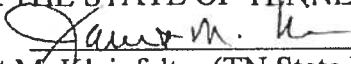
Signed March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF SOUTH DAKOTA
By: 
Philip D. Carlson (SD State Bar #3913)
Assistant Attorney General
Office of Attorney General Marty J. Jackley
1302 E. Highway 14, Suite 1
Pierre, SD 57501
Email: Phil.Carlson@state.sd.us
Telephone: (605) 773-3215
Attorney for Plaintiff State of South Dakota
Signed Feb. 12, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF TENNESSEE

By: 
Janet M. Kleinfelter (TN State Bar # 13889)

Deputy Attorney General
Office of the Attorney General
425 5th Ave., N.
P.O. Box 20207
Nashville, TN 37202

Email: Janet.Kleinfelter@ag.tn.gov

Telephone: (615) 741-7403

Attorney for Plaintiff Tennessee

Secretary of State Tre Hargett

Signed March 1, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

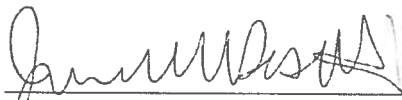
FOR THE STATE OF TEXAS

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

JAMES E. DAVIS
Deputy Attorney General for Civil Litigation

DAVID A. TALBOT
Chief, Consumer Protection Division

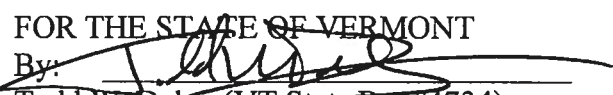
By: 
Jennifer M. Roscetti (TX Bar #24066685)
Assistant Attorneys General
Office of Attorney General Ken Paxton
300 W. 15th St., 9th Floor
Austin, TX 78701
Email: Jennifer.Roscetti@texasattorneygeneral.gov
Telephone: (512) 475-4183

Attorneys for Plaintiff State of Texas
Signed March 16, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


FOR THE STATE OF UTAH
By: *Jeffrey Buckner*
Jeffrey Buckner (UT State Bar #4546)
Assistant Attorney General
Office of Attorney General Sean D. Reyes
160 E. 300 South, Fifth Floor
P. O. Box 140872
Salt Lake City, UT 84114
Email: jbuckner@utah.gov
Telephone: (801) 366-0310
*Attorney for Plaintiff State of Utah
and Utah Division of Consumer Protection*
Signed *March 4*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF VERMONT
By: 
Todd W. Daloz (VT State Bar #4734)
Assistant Attorney General
Office of Atty General William H. Sorrell
109 State Street
Montpelier, VT 05609
Email: todd.daloz@vermont.gov
Telephone: (802) 828-4605
Attorney for Plaintiff State of Vermont
Signed Mar. 10th, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE COMMONWEALTH OF VIRGINIA

By: 
Richard S. Schweiker, Jr. (VA Bar #34258)
Senior Assistant Attorney General and Chief

Office of Attorney General Mark R. Herring
Consumer Protection Section
900 East Main Street
Richmond, VA 23219

Email: rschweiker@oag.state.va.us
Telephone: (804) 786-5643

Attorney for Plaintiff Commonwealth of Virginia

Signed March 11, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF WASHINGTON

By: 

Sarah A. Shifley (WA State Bar #39394)

Assistant Attorney General

Office of Atty General Robert W. Ferguson

800 5th Ave., Suite 2000, TB-14

Seattle, WA 98104

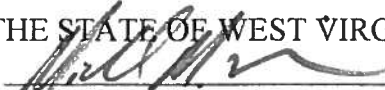
Email: sarah.shifley@atg.wa.gov

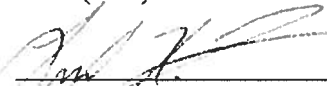
Telephone: (206) 389-3974

Attorney for Plaintiff State of Washington

Signed Flr. 17, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF WEST VIRGINIA
By: 
Michael M. Morrison (WV State Bar #9822)
Assistant Attorney General
Office of Attorney General Patrick Morrisey
P.O. Box 1789
Charleston, WV 25326
Email: Matt.M.Morrison@wvago.gov
Telephone: (304) 558-8986

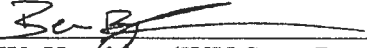
By: 
Laurel K. Lackey (WV State Bar #10267)
Assistant Attorney General
Counsel for SOS Natalie E. Tennant
269 Aikens Center
Martinsburg, WV 25404
Email: Laurel.K.Lackey@wvago.gov
Telephone: (304) 267-0239
Attorneys for Plaintiff State of West Virginia
Signed March 10, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF WISCONSIN
By: *Francis X. Sullivan*
Francis X. Sullivan (WI State Bar #1030932)
Assistant Attorney General
Office of Attorney General Brad D. Schimel
17 W. Main St., P.O. Box 7857
Madison, WI 53707-7857
Email: sullivanfx@doj.state.wi.us
Telephone: (608) 267-2222
Attorney for Plaintiff State of Wisconsin
Signed *March 4*, 2016

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOR THE STATE OF WYOMING

By: 
Clyde W. Hutchins (WY State Bar #6-3549)
Senior Assistant Attorney General
Benjamin M. Burningham (UT Bar # 14606)
Assistant Attorney General
Office of Attorney General Peter K. Michael
123 State Capitol
Cheyenne, WY 82003
Email: clyde.hutchins@wyo.gov
ben.burningham@wyo.gov
Telephone: (307) 777-7847 (Hutchins)
(307) 777-5833 (Burningham)
Attorneys for Plaintiff State of Wyoming
Signed MARCH 2, 2016