

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE SECRETARY OF THE COMMONWEALTH

PROTHONOTARY
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Department of State

Commonwealth of Pennsylvania,
Bureau of Corporations and
Charitable Organizations

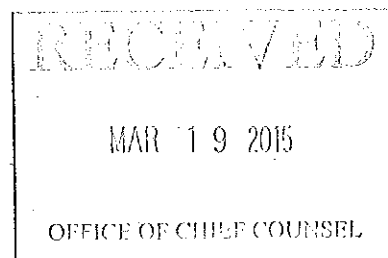
v.

All 4 Paws Rescue, Inc.,
Respondent

Docket No. 0064-98-15

File No. 14-98-07549

CONSENT AGREEMENT AND ORDER



PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Corporations and Charitable Organizations ("Bureau") and All 4 Paws Rescue, Inc. ("Respondent") stipulate as follows in settlement of the above-captioned matter:

JURISDICTION

1. This matter is before the Secretary of the Commonwealth ("Secretary") pursuant to the Solicitation of Funds for Charitable Purposes Act ("the Act"), Act of December 19, 1990, P.L. 1200, No. 202, *as amended*, 10 P.S. §§ 162.1-162.24.

LICENSE AND REGISTRATION STATUS

2. Respondent does not deny the truth of the following averments regarding its professional licensure:

a. Respondent, All 4 Paws Rescue, Inc., is registered as a charitable organization with the Department of State, Bureau of Corporations and Charitable Organizations (Bureau), and holds certificate number 102275 issued by the Bureau.

b. Respondent's registration is in accordance with the registration provisions of the Act.

c. Respondent's registration certificate expires on November 15, 2015.

d. The last known mailing address for the Respondent is 553 Worthington Road, Chester Springs, PA 19425.

FACTUAL ALLEGATIONS

3. The Respondent admits that the following allegations are true:

a. On or about April 29, 2014, the Bureau of Corporations and Charitable Organizations (Bureau) notified Respondent that it may be required to register pursuant to the Act and that it had thirty (30) days to respond by becoming properly registered or providing evidence that it is exempt or excluded from registering under the Act.

b. A true and correct copy of the April 29, 2014 letter is attached and incorporated as **EXHIBIT A**.

c. The Bureau's April 29, 2014 letter was delivered and received by Respondent on May 8, 2014.

d. A true and correct copy of the Electronic Return Receipt from the United States Postal Service evidencing delivery of the certified letter is attached and incorporated as **EXHIBIT B**.

e. Respondent failed to respond to the Bureau's April 29, 2014 letter.

f. As a result, on or about June 12, 2014, the Secretary of the Commonwealth (Secretary) issued an Order directing Respondent to Cease and Desist from soliciting contributions in the Commonwealth until such time as the organization responds to the Bureau and becomes duly registered or provides

information confirming that it is exempt or excluded from the registration requirements of the Act.

g. A true and correct copy of the June 12, 2014 Cease and Desist Order is attached and incorporated as **EXHIBIT C**.

h. Subsequent to the issuance of the Order by the Secretary on June 12, 2014, Respondent continued to solicit charitable contributions in the Commonwealth.

i. On or about June 28, 2014, Respondent hosted a benefit night, including an auction, at the Wyndham Garden Exton Valley Forge, Exton, PA, in conjunction with another animal rescue organization, in order "to help raise money to allow both organizations to save more animals."

j. A true and correct copy of the Facebook page advertisement is attached and incorporated as **EXHIBIT D**.

k. On or about December 4, 2014, Respondent became properly registered with the Bureau.

l. On or about December 4, 2014, the Secretary of the Commonwealth issued an Order Lifting the Cease and Desist Order.

m. A true and correct copy of the Order Lifting the Cease and Desist Order is attached and incorporated as **EXHIBIT E**.

AGREED VIOLATIONS

4. The parties agree that by engaging in the foregoing activities, Respondent committed the following violations of the Act at:

a. Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through actions that were not in accordance with Section 5(a), 10 P.S. § 162.5(a), by soliciting contributions in the absence of an approved registration;

b. Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by soliciting contributions in violation of an Order issued by the Secretary of the Commonwealth.

TERMS OF BOARD ORDER

5. To address concerns raised by the Commonwealth and to resolve this matter on a compromise basis, the Commonwealth and the Respondent, intending to be legally bound, agree to the issuance by the Secretary of the following Order in settlement of this matter:

a. Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through actions that were not in accordance with Section 5(a), 10 P.S. § 162.5(a), by soliciting contributions in the absence of an approved registration;

b. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), in that the organization continued to solicit contributions in violation of an Order issued by the Secretary of the Commonwealth.

ADMINISTRATIVE FINE

c. An **ADMINISTRATIVE FINE** in the amount of **TWO-THOUSAND-DOLLARS (\$2,000.00)** is hereby levied upon Respondent.

(1) Respondent shall tender the full sum of the **ADMINISTRATIVE FINE** with the return of this executed Consent Agreement;

(2) Payment of the **ADMINISTRATIVE FINE** shall be by certified check, cashier's check, attorney's check, or money order issued by a usual, customary, and reputable issuer (e.g. U.S. Postal Money Order, Western Union Money Order, etc.).

(3) The instrument of payment shall be payable to the 'Commonwealth of Pennsylvania,' and shall be valid for a period of at least one hundred eighty (180) days.

(4) Respondent agrees that payment shall only be made by one of the methods indicated above and shall not be made by uncertified personal or corporate check.

CASE SETTLED AND DISCONTINUED

d. This case shall be deemed settled and discontinued upon the Secretary issuing an Order approving and adopting this Consent Agreement and upon the Respondent's successful completion of the requirements of this Order.

e. Nothing in this Consent Agreement and Order shall preclude the Prosecuting Attorney for the Bureau from filing charges, or the Secretary from imposing, disciplinary or corrective measures for violations or facts not contained in this Consent Agreement and Order.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent waives the filing of an Order to Show Cause in this matter.

8. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the

Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

9. Respondent acknowledges that it is aware that it has the right to consult with, and be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement.

10. To the extent that Respondent is not represented by legal counsel, Respondent has knowingly elected to proceed in this matter without the assistance of legal counsel.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

11. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Secretary or his counsel, which may arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. This paragraph is binding on the participants even if the Secretary does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

12. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

13. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other governmental or administrative entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State.

14. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Secretary issues an Order approving and adopting this Consent Agreement.

EFFECT OF SECRETARY'S REJECTION OF CONSENT AGREEMENT

15. Should the Secretary not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Secretary shall not prejudice the Secretary from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Secretary does not approve this Consent Agreement.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

16. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent and its officers, directors, agents, employees or independent contractors. Nothing in this Consent Agreement or the Order based upon this Consent Agreement shall preclude representatives of the Bureau from referring any information or data produced as a result of this matter to any federal, state, or local agency or governmental unit having jurisdiction over the activities of Respondent or any officer, director, agent, employee or independent contractor of the Respondent.

ENTIRE AGREEMENT

17. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

VERIFICATION OF FACTS AND STATEMENTS

18. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

T'rese M. Evancho
T'rese M. Evancho
Prosecuting Attorney
Department of State

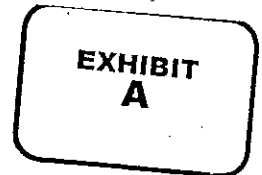
DATED: 3/6/2015

Kristen L. Schlichtig
All 4 Paws Rescue, Inc. Kristen L. Schlichtig
Respondent

DATED: 2/21/15



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND
CHARITABLE ORGANIZATIONS
DIVISION OF INVESTIGATIONS
212 NORTH OFFICE BUILDING
HARRISBURG, PA 17120-0103
717.787.0700
800.732.0999 (within PA)



VIA CERTIFIED MAIL #9171 9690 0935 0042 4013 12
AND FIRST CLASS US MAIL

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April 29, 2014

Kristen Schlichtig, President
All 4 Paws Rescue, Inc.
PO Box 122
Chester Springs, PA 19425

Re: 2014-98-00056

Dear Ms. Schlichtig:

The Pennsylvania Bureau of Corporations and Charitable Organizations (Bureau) has received evidence that your organization is soliciting charitable contributions in Pennsylvania. Pennsylvania's Solicitation of Funds for Charitable Purposes Act (Act), 10 P.S. § 162.1 *et seq.*, requires organizations soliciting contributions in Pennsylvania to register with the Bureau as a charitable organization unless they are specifically excluded or exempt from the Act's requirements. Your organization may be required to register pursuant to the Act.

Additional information about Pennsylvania's charitable organization registration requirements, as well as registration forms, is available on the Bureau's website at www.dos.state.pa.us under the *Charities* section.

Consequently, within thirty (30) days of your receipt of this letter, please complete and return a registration packet so your organization can become properly registered or provide the Bureau with evidence that your organization is either excluded or exempt from the Act's registration requirements.

If your organization is required to register, the following information must be submitted to the Bureau along with your organization's registration materials:

1. The total amount of contributions your organization has received from Pennsylvania residents, businesses, corporations, and foundations, broken down by year, from the date your organization first solicited contributions in Pennsylvania to the present; and
2. Copies of all contracts between your organization and any professional solicitors or fundraising counsels responsible for your organization's fundraising activities in Pennsylvania since your organization first solicited contributions in Pennsylvania.

In addition, please be sure to complete questions #8 and #9 on the BCO-10 Registration Statement so your registration can be processed promptly. Please send all registration documents and the information requested above in questions 1 and 2 to: Special Investigations and Audits Division, Attn: Special Investigator Steven Uhlich, Room 212, North Office Building, Harrisburg, PA 17120-0103.

If you do not return the appropriate registration documents, or provide evidence that your organization is excluded or exempt within 30 days, a Cease and Desist Order may be issued ordering your organization to immediately stop all fundraising activities in Pennsylvania. Because Section 17(b)(3) of the Act, 10 P.S. § 162.17(b)(3), authorizes the Bureau to impose fines of up to \$1,000 per violation and additional penalties of up to \$100 per day, it is suggested you give this matter your prompt attention. By doing so, you may avoid having this matter forwarded to the Bureau's Prosecuting Attorney for appropriate follow-up.

If you have questions regarding this matter, please contact me at 717.787.0708, or via email at: suhlrich@pa.gov.

I look forward to your prompt cooperation and thank you in advance for your time and attention to this matter.

Sincerely,



Steven L. Uhlich, CFE
Special Investigator



Date: May 12, 2014

Steven Uhlrich:

The following is in response to your May 12, 2014 request for delivery information on your Certified Mail™ item number 9171969009350042401312. The delivery record shows that this item was delivered on May 8, 2014 at 10:43 am in CHESTER SPRINGS, PA 19425. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "Kristen Schlichting".

Kristen Schlichting

Address of Recipient :

353 Washington Rd

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

COPY

VIA CERTIFIED MAIL #9171 9690 0935 0042 4013 43
AND FIRST CLASS US MAIL

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IN THE MATTER OF: ALL 4 PAWS RESCUE, INC.

ORDER

AND NOW, THIS 12TH DAY OF JUNE, 2014, THE SECRETARY OF THE COMMONWEALTH, HAVING FOUND THAT ALL 4 PAWS RESCUE, INC., PO BOX 122, CHESTER SPRINGS, PA 19425, IS NOT REGISTERED WITH THE DEPARTMENT'S BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS, HAS FAILED TO RESPOND TO THE BUREAU'S REQUEST FOR INFORMATION, AND HAS SOLICITED CONTRIBUTIONS IN PENNSYLVANIA WHILE IT WAS NOT REGISTERED; IN ACCORDANCE WITH THE PENNSYLVANIA SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES ACT, 10 P. S. § 162.1, *ET SEQ.*, HEREBY ORDERS ALL 4 PAWS RESCUE, INC. TO CEASE AND DESIST FROM SOLICITING CONTRIBUTIONS IN PENNSYLVANIA UNTIL SUCH TIME AS ALL 4 PAWS RESCUE, INC. RESPONDS TO THE BUREAU AND DULY REGISTERS OR PROVIDES INFORMATION THAT IT IS EXCLUDED OR EXEMPT FROM REGISTRATION. ADDITIONALLY, ALL 4 PAWS RESCUE, INC. MAY BE SUBJECT TO ADMINISTRATIVE FINES OF UP TO \$1,000 PER VIOLATION AND \$100 FOR EACH DAY THE VIOLATION CONTINUES. THIS ORDER SHALL TAKE EFFECT IMMEDIATELY.

BY ORDER:
DEPARTMENT OF STATE

EXHIBIT
C

CAROL AICHELE
SECRETARY OF THE COMMONWEALTH

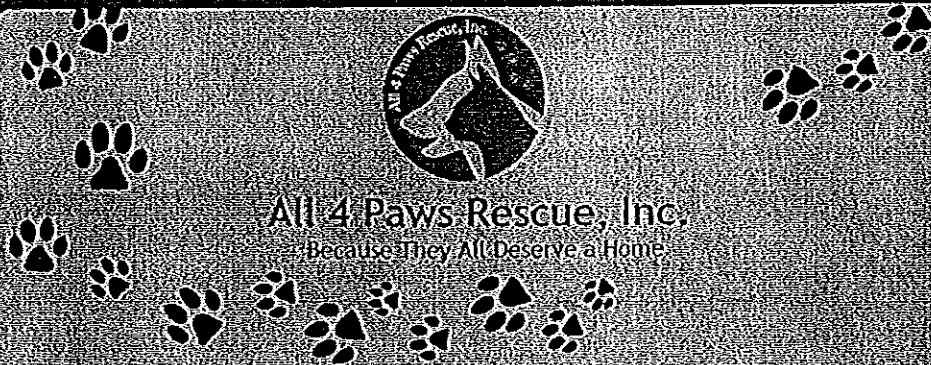
THIS ORDER MAY BE APPEALED BY REQUESTING A HEARING, IN WRITING, WITHIN TEN DAYS OF THE DATE OF THIS ORDER IN ACCORDANCE WITH 2 PA. C. S. § 501, *ET SEQ.* THE REQUEST MUST BE SENT TO: BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS, 212 NORTH OFFICE BUILDING, HARRISBURG, PA 17120-0103, AND THE PROTHONOTARY'S OFFICE, PO BOX 2649, HARRISBURG, PA 17105-2649.

EXHIBIT # 6



All 4 Paws Rescue, Inc.

Because They All Deserve a Home



UPCOMING EVENTS

- Our Mission
- About Us
- Available Pets
- Adopting a Pet
- Facebook
- Become A Foster Home
- Become A Volunteer
- Upcoming Events**
- Community Involvement
- Partners and Thank yous
- Contact Us
- Merchandise
- Other Ways You Can Help
- Newsletters
- Happy Tails Pictures
- Peanut's Story
- Lazarus's Story
- US Animal Shelter Facts
- Extras & Videos Worth Watching

"Justice 4 Paws" A Benefit Night Honoring All 4 Paws Rescue & Justice Rescue

When Sat, June 28, 6pm - 10pm

Where Wyndham Garden Exton Valley Forge, 815 N Pottstown Pike, Exton, PA 19341, United States ([map](#))

Description Come out and enjoy a great evening with two awesome organizations. Both All 4 Paws Rescue Inc. and Justice Rescue will be there and we hope to see our supporters join in the festivities. There will be a buffet meal, music, dancing, raffles, live auctions and an awesome silent auction with lots of items to help raise money to allow both organizations to save more animals. Event also includes an open bar for Beer/Wine/Soda and cash bar for mixed drinks. We look forward to seeing everyone there. A BIG thank you to Dawn Taylor-Bell for organizing this evening for both groups.

Ticket Information coming soon :) Click that your are GOING to the event to keep up to date!

When: June 28, 2014 6pm - 10pm
Where: Wyndham Garden Exton Valley Forge
 815 N. Pottstown Pike Exton, PA 19341
Cost: \$75 per person - \$125 per couple

**EXHIBIT
D**



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
HARRISBURG, PENNSYLVANIA
17120

SECRETARY OF THE COMMONWEALTH

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VIA CERTIFIED MAIL #9171 9690 0935 0042 4016 33
AND FIRST CLASS US MAIL

IN THE MATTER OF: ALL 4 PAWS RESCUE, INC.

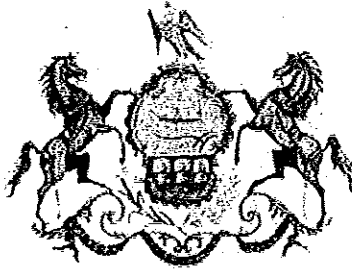
ORDER LIFTING CEASE AND DESIST ORDER

THE CEASE AND DESIST ORDER ISSUED BY THE SECRETARY OF THE COMMONWEALTH AGAINST ALL 4 PAWS RESCUE, INC., 553 WORTHINGTON ROAD, CHESTER SPRINGS, PA, 19425, ON JUNE 12, 2014, IS HEREBY LIFTED AS ALL 4 PAWS RESCUE, INC. HAS DULY REGISTERED WITH THE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS. THIS ORDER IS EFFECTIVE AS OF DECEMBER 4, 2014.

BY ORDER:
DEPARTMENT OF STATE

CAROL AICHELE
SECRETARY OF THE COMMONWEALTH

EXHIBIT
E



ALL 4 PAWS RESCUE, INC.

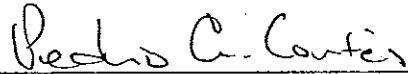
DOCKET NO. -98-15
FILE NO. 14-98-07549

ORDER

AND NOW, this 17th day of March 2015 the foregoing Consent Agreement is approved and the terms set forth in paragraph 5 are hereby adopted and incorporated herein as the Order of the Secretary of the Commonwealth issued in resolution of this matter.

THIS ORDER shall take effect immediately.

BY ORDER


Pedro A. Cortés
Acting Secretary of the Commonwealth

For the Commonwealth:

Trise M. Evancho, Esquire
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

All 4 Paws Rescue, Inc.
553 Worthington Road
Chester Springs, PA 19425

Date of mailing:

3/19/15