

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

Commonwealth of Pennsylvania, Bureau of Corporations and Charitable Organizations

v.

File No.

18-98-04093

Dignity Project and Lauren Galvin, a/k/a, Lolly Galvin,

Respondents

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Corporations and Charitable Organizations ("Bureau"), by and through its undersigned prosecuting attorney, Michael J. Gennett and Dignity Project and Lauren Galvin, a/k/a, Lolly Galvin ("Respondents"), 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, Act of December 19, 1990, P.L. 1200, No. 202, as amended ("Act"), 10 P.S. §§ 162.1 et. seq.
- 2. At all relevant and material times, Respondent Dignity Project acted as a charitable organization and as defined by the Act.
- 3. At all relevant and material times, Respondent Lauren Galvin, a/k/a, Lolly Galvin was the sole principal of Dignity Project.

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STIPULATED FACTS

- 4. Respondent's last known address on file with the Bureau is 861 North 20th Street, Philadelphia, PA 19130.
- 5. Respondent has never registered as a charitable organization with the Department of State, Bureau of Corporations and Charitable Organizations (Bureau).
- 6. Respondent was formed on or about March 8, 2016 by use of Legal Zoom, an on-line resource and relied upon Legal Zoom for preparation of all formation documents, including the application for 501(c)(3) status.
- 7. Without Respondent Galvin's knowledge, Respondent did not receive said 501(c)(3) status.
 - 8. Respondent operated as an unregistered charitable organization during fiscal year 2016.
- 9. Respondent was not exempt from registration under 10 P.S. § 162.6(a)(8) since Respondent received contributions in excess of \$25,000.00 per annum.

AGREED VIOLATIONS

- 10. Respondent admits and agrees that by engaging in the aforementioned activities, Respondent committed violations of the Act as follows:
 - a. Violating Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.5(a), by soliciting contributions during FY 2016 without the approved registration filed with the Bureau.
 - b. Violating Section 15(a)(l) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. §162.12 in that Respondent failed to maintain true and accurate records, by failing to maintain receipts for disbursements.

- c. Violating Section 15(a)(l) of the Act, 10 P.S. § 162.15(a)(l), by and through 10 P.S. §162.5(s) in that Respondent failed to maintain and administer all contributions raised on its behalf through an account in the name of the charitable organization and under its sole control, by depositing contributions received from a "Go Fund Me" crowdfunding campaign account into Respondent Galvin's personal bank account.
- d. Violating Section 15(a)(2), 10 P.S. § 162.15(a)(2), of the Act, in that Respondent Galvin represented that Respondent Dignity Project is a 501(c)(3) organization, when such was not the case.
- e. Violating Section 15(a)(2) of the Act, 10 P.S. § 162.15(a)(2), by and through 10 P.S. 162.13(a) in that Respondent Galvin failed to use contributions in a manner substantially consistent with the purpose represented in her solicitations.

PROPOSED ORDER

- 11. The participants, intending to be legally bound, consent to issuance of the following Order in settlement of this matter:
- a. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.5(a), by soliciting contributions during FY2016 without the approved registration filed with the Bureau.
- b. Respondent violated Section 15(a)(l) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. §162.12 in that Respondent failed to maintain true and accurate records, by failing to maintain receipts for disbursements.
- c. Respondent violated Section 15(a)(l) of the Act, 10 P.S. § 162.15(a)(l), by and through 10 P.S. §162.5(s) in that Respondent failed to maintain and administer all

contributions raised on its behalf through an account in the name of the charitable organization and under its sole control, by depositing contributions received from a "Go Fund Me" crowdfunding campaign account into Respondent Galvin's personal bank account.

- d. Respondent violated Section 15(a)(2), 10 P.S. § 162.15(a)(2), of the Act, in that Respondent Galvin represented that Respondent Dignity Project is a 501(c)(3) organization, when such was not the case.
- e. Respondent violated Section 15(a)(2) of the Act, 10 P.S. § 162.15(a)(2), by and through 10 P.S. 162.13(a) in that Respondent Galvin failed to use contributions in a manner substantially consistent with the purpose represented in her solicitations.

CEASE AND DESIST

- 12. Respondents shall **CEASE AND DESIST** any and all solicitations of funds for charitable purposes in this Commonwealth.
- 13. Respondents shall not represent, either directly or indirectly, that by this Consent Agreement and Order the Bureau has sanctioned, condoned, approved or pardoned any part or aspect of Respondents' activities.
- 14. Respondent Lauren Galvin, a/k/a, Lolly Galvin, shall not assume any position in any charitable organization, registered or unregistered, whether voluntary or paid, to include internet crowdfunding campaigns, that involves the solicitation, collection or expenditure of donations or contributions of any kind in this Commonwealth for a period of ten (10) years from the date of this Order.

ADMINISTRATIVE PENALTIES

upon Respondent. Respondent shall tender the full sum of Three Thousand Dollars (\$3,000.00), with this executed Consent Agreement. Payment shall be by certified check, cashier's check, attorney's check, or U.S. Postal money order. The instrument of payment shall be made payable to the "Commonwealth of Pennsylvania," and shall be valid for a period of at least one hundred eighty (180) days. Respondent agrees that payment will be made by one of the methods indicated in subparagraph (a) above and that payment by uncertified personal check, corporate check or cash will not be accepted.

CASE SETTLED AND DISCONTINUED

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

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

17. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to the 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 Bureau; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

AGREEMENT NOT BINDING ON OTHER PARTIES

18. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other administrative or governmental entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State. Except as otherwise noted, this Agreement is to have no legal effect if (a) the Office of General Counsel expresses an objection to the Agreement's form or legality and/or (b) unless and until the Secretary issues the stipulated Order.

EFFECT OF SECRETARY'S REJECTION

19. 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.

ENTIRE AGREEMENT

20. This Agreement contains the whole agreement between the parties; 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.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

21. 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.

VERIFICATION OF FACTS AND STATEMENTS

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

Prosecuting Attorney Department of State

Dignity Project and Lauren Galvin,

A/K/A, Lolly Galvin

Respondent

By: Lauren 64/vin
Print
Title: Founder
Print

DATE: 4 DECEMBER 2018

DATE: 11/20/18



IN THE MATTER OF Dignity Project and Lauren Galvin, A/K/A, Lolly Galvin File No.: 18-98-04093

ORDER

AND NOW, this 27th day of <u>Necerober</u> 2018, the foregoing Consent Agreement is hereby approved, and the terms set forth herein are hereby adopted and incorporated herein as the Order of the Acting Secretary of the Commonwealth, now issued in resolution of this matter.

THIS ORDER shall take effect immediately.

BY ORDER:

Robert Torres

Acting Secretary of the Commonwealth

For the Commonwealth:

Michael J. Gennett, Esquire

Prosecuting Attorney

306 North Office Building

401 North Street

Harrisburg, PA 17120

Respondents:

Dignity Project and Lauren Galvin,

A/K/A, Lolly Galvin

861 North 20th Street

Philadelphia, PA 19130