

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

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Department of State

Commonwealth of Pennsylvania,
Bureau of Charitable Organizations,

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:
: Docket No. (X) -98-10
:
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vs.

: File No. 08-98-08695
:
:

Korean War Veterans National Museum and
Library
Respondent

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau") and Korean War Veterans National Museum and Library, ("Respondent") stipulate as follows in settlement of the above-captioned case.

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 was registered with the Bureau, Registration #30902.

STIPULATED FACTS

3. Respondent admits that the following allegations are true:

a. Respondent's last known business address is 1007 Pacesetter Drive, Rantoul, IL 61866.

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\$191,712.00 for professional fundraising services for fiscal year ending December 31, 2007.

j. Respondent's Schedule A from IRS Form 990 for fiscal year ending December 31, 2007 as provided by the Respondent, revealed no compensation for the five highest paid independent contractors for professional services.

k. On September 4, 2009, the Bureau received registration materials from Respondent, including a BCO-10, an IRS Form 990, and audited financial statements.

l. According to the information provided by the Respondent on the Respondent's form BCO-10, Respondent paid Fund Raising Strategies, Inc. \$165,459.00 for professional fundraising services for fiscal year ending December 31, 2008.

m. Respondent's Schedule A from IRS Form 990 for fiscal year ending December 31, 2008 as provided by the Respondent, revealed no compensation for the five highest paid independent contractors for professional services.

AGREED VIOLATIONS

4. Respondent admits and agrees that by engaging in the foregoing activities:

a. Respondent violated the Act at 10 P.S. § 162.17 (a)(3), by making material false statements on its IRS Form 990 for fiscal years ending December 31, 2006, December 31, 2007, and December 31, 2008, which were filed with the Bureau.

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PROPOSED ORDER

5. The participants, intending to be legally bound, consent to issuance of the following Order in settlement of this matter:

a. Respondent repeatedly violated the Act at 10 P.S. § 162.17 (a)(3).

ADMINISTRATIVE FINE

b. An **ADMINISTRATIVE FINE** of three thousand dollars (\$3,000) is levied upon Respondent. Respondent shall tender the full sum of three thousand dollars (\$3,000), with this executed Consent Agreement which shall be paid by certified check, cashier's check, attorney's check, or U.S. Postal money order made payable to the "Commonwealth of Pennsylvania."

FILING OF REGISTRATION DOCUMENTS

c. Respondent acknowledges its requirement to compile accurate financial statements and to maintain registration with the Bureau according to Section 162.5 of the Act.

CASE SETTLED AND DISCONTINUED

6. 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 any ordered discipline.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

7. 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 that hearing: to be represented by counsel at the hearing; to present

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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

8. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other administrative 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

9. 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

10. 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

11. The parties acknowledge that other federal, state, and/or local agencies may have


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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

12. 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.

Korean War Veterans National Museum and Library



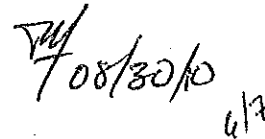
Jacquelyn E. Pfursich, Esquire
Prosecuting Attorney
Department of State



By: TIMOTHY RYAN YANTLS
Title: EXECUTIVE DIRECTOR
Respondent
(TIMOTHY RYAN YANTLS)

DATED: 9/7/10

DATED: 30 AUG 2010


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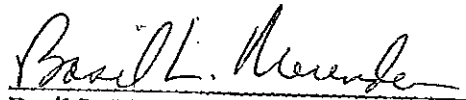


**IN THE MATTER OF
KOREAN WAR VETERANS NATIONAL MUSEUM AND
LIBRARY
FILE NO. 08-98-08695**

ORDER

AND NOW, to wit, on this 13th day of September 2010, the terms of paragraph 5 of the foregoing Consent Agreement are hereby adopted and incorporated as the Order of the Secretary of the Commonwealth in resolution of this matter. This Order shall take effect immediately.

BY ORDER



Basil L. Merenda
Acting Secretary of the Commonwealth