

STIPULATED FACTS

3. Respondent admits that the following allegations are true:
 - a. Respondent's last known business address is 14 Cedar Street, Latrobe, PA 15650.
 - b. Carol and Gary Greenawalt are president and vice president of Respondent, respectively, having held these positions since July of 1990.
 - c. According to Bureau corporation records, Respondent incorporated as a non-profit on January 1, 2006.
 - d. Respondent has operated as a charitable organization soliciting contributions for the annual 4th of July celebration.
 - e. After receiving information that Respondent was soliciting contributions from Pennsylvania residents without being properly registered, the Bureau sent a letter to Respondent dated May 18, 2006, informing Respondent of its registration obligations under the Act, and providing Respondent with an application packet to register as a charitable organization in the Commonwealth of Pennsylvania; Respondent failed to respond.
 - f. On June 21, 2006, Respondent provided the Bureau with partial registration documents, however, the registration documents were incomplete and/or incorrect.
 - g. On August 28, 2007, due to the incomplete/incorrect registration documents supplied, an investigative subpoena was issued against Respondent.
 - h. On January 28, 2008, the Bureau met with Respondent to review

Respondent's response to the Bureau's Investigative Subpoena.

i. During the January 28, 2008 meeting, and upon the Bureau's review of Respondent's available records for fiscal year end December 31, 2004; December 31, 2005; and December 31, 2006, it was determined that the organization failed to report in-kind donations from 2004 to the present.

j. Respondent's records prove that solicited contributions exceeded \$25,000 for the fiscal years ending December 31, 2004 and December 31, 2005, therefore Respondent was required to be registered with the Bureau for these fiscal years.

AGREED VIOLATIONS

4. Respondent agrees that by engaging in the foregoing activities it violated the Act at 10 P.S. § 162.15(a)(1) by failing to register with the Bureau before soliciting charitable contributions in the Commonwealth of Pennsylvania.

MITIGATION

5. Respondent was an unincorporated corporation until January of 2006.

6. Respondent incorporated on January 23, 2006, the Chairperson at that time was Carol Greenawalt.

7. Since the time of incorporation, Respondent has complied with the registration requirements of the Act.

PROPOSED ORDER

8. The participants consent to issuance of the following Order in settlement of this matter:

- a. Respondent violated the Act at 10 P.S. § 162.15(a)(1).

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 keep true and accurate financial records, and understands that the Bureau may audit the records of Respondent at anytime.

- d. Respondent shall also submit financial statements in accordance with § 162.5(e) for fiscal year end December 31, 2007 to the Bureau no later than November 11, 2008.

VIOLATION OF THE SECRETARY'S ORDER

9. 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

10. 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 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

11. 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

12. 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

13. 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

14. 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

15. 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.

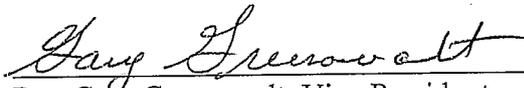
Latrobe 4th of July Celebration, Inc.



Dean F. Picarella, Esquire
Prosecuting Attorney
Department of State



By: Carol Greenawalt, President
For Respondent



By: Gary Greenawalt, Vice President
For Respondent

DATED:

12/17/2008

DATED:

12/9/08



**IN THE MATTER OF THE
Latrobe 4th of July Celebration
FILE NO.: 08-98-03063**

ORDER

AND NOW, to wit, on this 18th day of December 2008, the terms of paragraph 8 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

Pedro A. Cortés

Pedro A. Cortés
Secretary of the Commonwealth