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

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Department of State

**Commonwealth of Pennsylvania,
Bureau of Corporations and
Charitable Organizations**

File No.: 18-98-02706

v.

**270 Strategies, Inc.
Respondent**

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, Esquire and 270 Strategies, Inc., ("Respondent"), stipulate as follows in settlement of the above-captioned matter:

JURISDICTION

1. This matter is before the Acting 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 acted as an organization regulated under the Act.

STIPULATED FACTS

3. Respondent's last known address on file with the Bureau is 406 North Sagamon, Suite 202, Chicago, IL 60642.

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4. Respondent is currently registered as a professional fundraising counsel (PFC) in Pennsylvania and was issued certificate number 112327.

5. Respondent admits that the following allegations are true:

a. Respondent performed professional fundraising counsel services during the period beginning between December 13, 2016 through March 31, 2018 on behalf of a charitable organization soliciting contributions in Pennsylvania without submitting a contract and obtaining BCCO approval at least ten (10) working days prior to commencing PFC services on behalf of the charitable organization.

AGREED VIOLATIONS

6. Respondent admits and agrees that by engaging in the aforementioned activities, Respondent committed violations of the Act as follows:

a. Section 162.15(a)(1), by and through Section 162.8(d), Written contract, in that Respondent performed PFC services during the period beginning between December 13, 2016 through March 31, 2018 on behalf of a charitable organizations soliciting contributions in Pennsylvania without submitting a contract and obtaining Bureau of Corporations and Charitable Organization (BCCO) approval at least ten (10) working days prior to commencing PFC services on behalf of the charitable organization.

PROPOSED ORDER

7. 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. § 162.8(d) in that Respondent performed PFC services during the period beginning between December 13, 2016 through March 31, 2018 on behalf of a charitable organization

soliciting contributions in Pennsylvania without submitting a contract and obtaining Bureau of Corporations and Charitable Organization (BCCO) approval at least ten (10) working days prior to commencing PFC services on behalf of the charitable organization.

ADMINISTRATIVE PENALTIES

8. An **ADMINISTRATIVE FINE** of **One Thousand Dollars (\$1,000.00)** is levied upon Respondent. Respondent shall tender the full sum of **One Thousand Dollars (\$1,000.00)**, with this executed Consent Agreement.

a. Payment shall be by **certified check, cashier's check, attorney's check, or U.S. Postal money order.**

b. 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.

c. 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

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 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

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 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

11. 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

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

12. 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

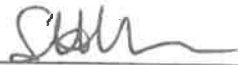
13. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent and its officers, directors, agents, employees or independent contractors. Nothing in this Consent Agreement or the Order based upon this Consent 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

14. 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.



Michael J. Gemetti, Esquire
Prosecuting Attorney
Department of State



270 Strategies, Inc.
Sarah Eberhard, Chief Operating Officer
and General Counsel

Respondent

DATED: 28 JUN 2018

DATED: June 22, 2018



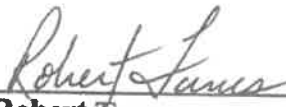
**IN THE MATTER OF
270 Strategies, Inc.
File No.: 18-98-02706**

ORDER

AND NOW, this 11th day of July 2018, the foregoing Consent Agreement is hereby approved and the terms set forth therein are hereby adopted and incorporated herein as the Order of the 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
306 North Office Building
401 North Street
Harrisburg, PA 17120

For Respondent:

270 Strategies, Inc.
Sarah Eberhard, Chief Operating Officer
and General Counsel
406 North Sagamon, Suite 202
Chicago, IL 60642