

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

PROTHONOTARY

JUL 13 PM 3:44

Department of State

Commonwealth of Pennsylvania,
Bureau of Charitable Organizations,

:
:
:
:
:
:
:
:
:
:
:
:
:
:
:

Docket No. ~~0039~~-98-11
File No. 11-98-02193

v.

Donor Services Group, LLC,
Respondent

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations (“Bureau”) and Donor Services Group, LLC (“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 (“the Act”), Act of December 19, 1990, P.L. 1200, No. 202, *as amended* (“Act”), 10 P.S. §§ 162.1 *et. seq.*

2. Respondent is a professional solicitor as defined by the Act.

3. At all relevant and material times, Respondent held a registration to provide solicitor services to charitable organizations within the Commonwealth of Pennsylvania, certificate number 29188.

STIPULATED FACTS

4. Respondent admits that the following allegations are true:

a. Respondent's last known business address, as on file with the Department of State, is 6715 Sunset Boulevard, Los Angeles, CA 90028.

b. Respondent employs individuals to work as solicitors in an office located in the Commonwealth, as well as offices in other states.

c. Respondent's solicitors, among other things, make telephone calls to Commonwealth residents in an effort to secure contributions for various charities.

d. On or about January 25, 2011, the Bureau sent via certified mail, an investigative subpoena requesting, among other things, a list of Respondent's employees as well as a list of Respondent's employees who solicit for compensation in Pennsylvania and have been convicted by a court of any state or the United States of any felony or of any misdemeanor involving dishonestly.

e. On or about February 14, 2011, Respondent provided a response to the Bureau's investigative subpoena via an E-mail from Respondent's President and CEO.

f. Respondent's response indicated that Respondent employed nine (9) individuals who were convicted of felonies or misdemeanors involving dishonesty to solicit monetary contributions from Pennsylvania residents.

g. Respondent subsequently terminated the employment of these nine (9) individuals.

h. In addition to the nine (9) individuals listed in Respondent's response as having been convicted of a felony or a misdemeanor involving dishonesty, Respondent's list of employees also contains at least four (4) individuals who have been convicted of a felony or a misdemeanor involving dishonesty within the last five years.

i. Respondent employed Barbara Arbogast who was convicted on October 28, 2009 of a misdemeanor for Theft by Unlawful Taking- Movable Property.

j. Respondent employed Andrew Craig who was convicted on January 27, 2010 of Burglary, a felony of the second degree, and various misdemeanors including Theft by Unlawful Taking, Receiving Stolen Property, and Access Device Issued to Another Who Did Not Authorize Use.

k. Respondent employed Matthew Moran who was convicted on April 30, 2009 for Retail Theft, a felony in the third degree.

l. Respondent employed Amanda Triebasch who was convicted on December 10, 2008 for Criminal Conspiracy, Robbery – Inflict Serious Bodily Injury, a felony in the first degree.

AGREED VIOLATIONS

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

a. Respondent repeatedly violated the Act at 10 P.S. § 162.9(q)(1), by and through § 162.15(a)(1), by employing individuals who have been convicted by a court of any state or the United States of any felony, or of any misdemeanor involving dishonesty or arising from the conduct of a solicitation for a charitable organization or purpose.

PROPOSED ORDER

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

a. Respondent repeatedly violated the Act at 10 P.S. § 162.9(q)(1), by and through §162.15(a)(1).

ADMINISTRATIVE FINE

b. An **ADMINISTRATIVE FINE** of fourteen thousand dollars (\$14,000.00) is levied upon Respondent. The full amount of the administrative fine shall be submitted to the Bureau with the signed Consent Agreement. Respondent shall pay the full amount of the administrative fine by **certified check, cashier's check, attorney's check or U.S. Postal money order made payable to the "Commonwealth of Pennsylvania."** Respondent agrees that **all payments 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

7. 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

8. 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

9. 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

10. 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

11. 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.

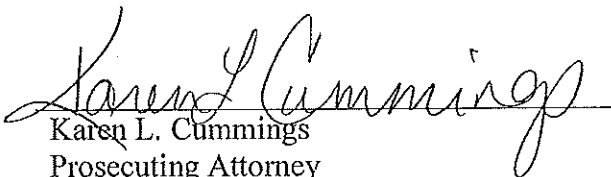
AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES


12. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent. 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.

VERIFICATION OF FACTS AND STATEMENTS

13. 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.


Karen L. Cummings
Prosecuting Attorney
Department of State


For Donor Services Group, LLC
Title: CEO
Respondent *THOMAS SIEGEL*

DATED: 7/13/11

DATED: 7/9/11



**IN THE MATTER OF
DONOR SERVICES GROUP, LLC
FILE NO. 11-98-02193**

ORDER

AND NOW, to wit, on this 13th day of July 2011, the terms of paragraph 7 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

A handwritten signature in cursive script, appearing to read "Carol Aichele".

Carol Aichele
Secretary of the Commonwealth