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Department of State

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

Commonwealth of Pennsylvania,
Bureau of Charitable Organizations

Docket No. 004-98-11

vs.

File No. 11-98-01658

Sandra Haughton,
Respondent.

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau"), and Sandra Haughton ("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 acted as a professional fundraising counsel as defined by the Act.

3. At all relevant and material times, Respondent was not registered as a professional fundraising counsel with the Bureau.

STIPULATED FACTS

4. Respondent admits that the following allegations are true:

a. Respondent's last known address is 268 Spruce Street, Bensalem, PA 19020.

b. The Philadelphia Dance Company is a charitable organization that is registered with the Bureau, certificate number 313.

c. The Bureau received evidence that Respondent performed professional fundraising counsel services for the Philadelphia Dance Company pursuant to a written contract between Respondent and the Philadelphia Dance Company beginning on or about July 1, 2009 and terminating on or about June 30, 2010.

d. At all relevant and material times, there was no approved contract on file with the Bureau between Respondent and the Philadelphia Dance Company.

e. Between July 1, 2009 and June 30, 2010, Respondent was not registered as a professional fundraising counsel with the Bureau.

AGREED VIOLATIONS

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

a. Respondent repeatedly violated the Act at 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.8(a), by providing services as a professional fundraising counsel for the Philadelphia Dance Company without first being registered as a professional fundraising counsel with the Bureau; and

b. Respondent violated the Act at 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.8(d), by failing to file Respondent's contract with the Philadelphia Dance Company with the Bureau prior to rendering professional fundraising counsel services.

PROPOSED ORDER

6. 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. § 162.15(a)(1), by and through, 10 P.S. § 162.8(a); and

b. Respondent violated the Act at 10 P.S. § 162.15(a)(1), by and through, 10 P.S. § 162.8(d).

ADMINISTRATIVE FINE

c. An **ADMINISTRATIVE FINE** of three thousand dollars (\$3,000.00) is levied upon Respondent. Respondent shall tender the sum of three thousand dollars (\$3,000.00) in six installment payments. All payments 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." 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. The Administrative fine shall be paid as follows:

i. Respondent shall tender the sum of five hundred dollars (\$500.00) on or before October 31, 2011.

ii. Respondent shall make the second payment of five hundred dollars (\$500.00) on or before November 15, 2011.

iii. Respondent shall make the third payment of five hundred dollars (\$500.00) on or before December 15, 2011.

iv. Respondent shall make the fourth payment of five hundred dollars (\$500.00) on or before January 15, 2012.

v. Respondent shall make the fifth payment of five hundred dollars (\$500.00) on or before February 15, 2012.

vi. Respondent shall make the sixth and final payment of five hundred dollars (\$500.00) on or before March 15, 2012.

FAILURE TO MAKE PAYMENTS

d. In the event that Respondent becomes more than thirty (30) days late in making a payment as scheduled the entire remaining administrative fine (i.e. \$3,000.00 minus total payments made) shall become immediately due and payable. Respondent acknowledges that if Respondent fails to make timely payments under this Consent Agreement and the entire remaining administrative fine becomes due and payable, the collection of this administrative fine may be referred to the Office of Attorney General for collection proceedings.

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 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

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 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

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

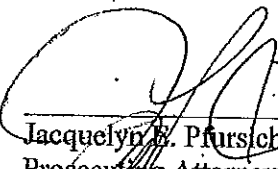
11. This Agreement contains the whole agreement between the parties; provided, however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, 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 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

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.



Jacquelyn E. Pfursich, Esquire
Prosecuting Attorney
Department of State

DATED: 9/18/11



Sandra Haughton
Respondent

DATED:



**IN THE MATTER OF
SANDRA HAUGHTON
FILE NO. 11-98-01658**

ORDER

AND NOW, to wit, on this 19th day of September 2011, the terms of paragraph 6 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, reading "Carol Aichele".

Carol Aichele
Secretary of the Commonwealth