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

DEPARTMENT OF STATE
2006 APR 22 11:10:03
SECRETARY

Commonwealth of Pennsylvania,
Bureau of Charitable Organizations

vs.

The Palestine Right to Return Coalition,
Respondent

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: Docket No. CO/3 -98-06
: File No. 06-98-05118
:
:
:

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau") and The Palestine Right to Return Coalition ("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*, 10 P.S. §§162.1-162.24.

2. At all relevant and material times, Respondent was registered to solicit charitable contributions within the Commonwealth of Pennsylvania, registration number 27073.

STIPULATED FACTS

3. Respondent admits that the following allegations are true:
- a. Respondent's last known business address on file with the Bureau is P.O. Box 131352, Carlsbad, CA 92013.

b. At all relevant and material times, Respondent was registered to solicit charitable contributions within the Commonwealth of Pennsylvania, registration number 27073.

c. On June 27, 2005, pursuant to the requirements of the Act, Respondent filed with the Bureau, registration documents for its fiscal year ending December 31, 2004 (“2004 Registration Documents”).

d. Respondent’s 2004 Registration Documents contained several material false statements as follows:

(1) Respondent failed to properly report another name it used to solicit funds in Pennsylvania on its Form BCO-10;

(2) Respondent failed to properly report its relationship with two other potentially related parties;

(3) Respondent failed to properly submit a required attachment to its Form BCO-10;

(4) Respondent incorrectly completed Parts I and II of IRS Form 990-EZ; and

(5) Respondent failed to properly report its program service accomplishments.

e. After three letters sent by the Bureau, dated September 14, 2005, November 4, 2005 and February 16, 2006, Respondent corrected all errors in the 2004 Registration Documents.

VIOLATIONS

4. Respondent committed multiple violations of the Act at 10 P.S. §162.17(a)(3), by

making material false statements in applications and documents that are required to be filed pursuant to the Act.

PROPOSED ORDER

5. To address concerns raised by the Commonwealth and to resolve this matter on a compromise basis, and intending to be legally bound, the Commonwealth and the Respondent agree to the issuance of the following Order in settlement of this matter:

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

ADMINISTRATIVE FINE

b. 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 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."**

CASE SETTLED AND DISCONTINUED

6. This case shall be deemed settled and discontinued upon the Secretary issuing and Order adopting this Consent Agreement.

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 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. The parties agree that Respondent violated the Act at 10 P.S. §162.17(a)(2), by 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 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.



Tracy L. McCurdy, Esquire
Prosecuting Attorney
Department of State

**THE PALESTINE RIGHT TO
RETURN COALITION**



By: ZAH I DAMUNI, Ph.D.
Title Treasurer
Respondent

DATED: 8-17-06

DATED: 16 August 2006



**IN THE MATTER OF
THE PALESTINE RIGHT TO RETURN COALITION
FILE NO. 06-98-05118**

ORDER

AND NOW, this *21st* day of *August* 2006, 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

Pedro A. Cortés

Pedro A. Cortés
Secretary of the Commonwealth