

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

Commonwealth of Pennsylvania, :
Bureau of Corporations and Charitable :
Organizations :
v. :
Donald Tollefson t/d/b/a :
Winning Ways Education, :
Respondent :

Docket No: 00//98-14

File No: 14-98-08067

Department of State

2014 OCT 24 PM 1:39

PROTHONOTARY

CONSENT AGREEMENT & ORDER

The Commonwealth of Pennsylvania, Bureau of Corporations and Charitable Organizations (Bureau) and Donald Tollefson t/d/b/a Winning Ways Education (Respondent) stipulate as follows in settlement of the above-captioned matter:

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. 12000, No. 202, *as amended* (here and after referred to as 'Act'), 10 P.S. §§ 162.1-162.24.

STIPULATED FACTS

2. The Respondent admits to the following facts:
 - a. The last known mailing address for the Respondent is 1326 N. 15th Street, Philadelphia, PA 19121.
 - b. At all relevant and material times, Respondent solicited charitable contributions in the Commonwealth of Pennsylvania.

c. The Bureau received evidence that Donald Tollefson t/d/b/a Winning Ways Education was soliciting contributions in Pennsylvania in the absence of a registration approved by the Bureau.

d. On or about July 29, 2013, the Bureau sent Respondent a certified letter informing Respondent of the registration requirements for charitable organizations soliciting contributions in Pennsylvania and requesting information and documentation regarding the organization's solicitation and financial activities.

e. As evidenced by the United States Postal Service (USPS) Track & Confirm report, Respondent signed for and received the letter on August 2, 2013.

f. A true and correct copy of the USPS Track & Confirm Report is attached and incorporated as **EXHIBIT A**.

g. To date, Respondent has failed to provide any of the requested documentation and/or information to the Bureau.

h. On or about July 23, 2012, Respondent held a Golf Classic, Dinner and Auction at the Waynesborough Country Club in Paoli, PA.

i. A pamphlet advertising the event, which included a donor registration form, stated that Winning Ways is a non-profit 501(c)(3) corporation with Tax ID # 581993203.

j. A true and correct copy of the pamphlet advertising the July 23, 2012 event is attached and incorporated as **EXHIBIT B**.

k. 501(c)(3) corporations are tax exempt.

l. However, a review of the Internal Revenue Service's (IRS) Exempt Organizations Select Check, revealed that Respondent's 501(c)(3) tax exempt status was revoked on June 9, 2011.

m. A true and correct copy of the IRS's Exempt Organizations Select Check Report is attached and incorporated as **EXHIBIT C**.

AGREED VIOLATIONS

3. Respondent agrees that by engaging in the aforementioned activities Respondent committed the following violations of the Act:

a. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by soliciting contributions in the absence of an approved registration.

b. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through Section 12 of the Act, 10 P.S. § 162.12, by failing to keep true fiscal records as to its activities in Pennsylvania and/or failing to make the records available for inspection upon demand by the Department.

c. Respondent violated Section 15(a)(2) of the Act, 10 P.S. § 162.15(a)(2), by utilizing unfair or deceptive acts or practices or engaging in any fraudulent conduct which creates a likelihood of confusion or of misunderstanding by representing on Respondent's solicitation material that it was a 501(c)(3) corporation, when in fact, its 501(c)(3) status had been revoked.

PROPOSED ORDER

4. Intending to be legally bound, the participants consent to issuance by the Secretary of the following Order in resolution of this matter:

VIOLATION

- a. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by soliciting contributions in the absence of an approved registration.
- b. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through Section 12 of the Act, 10 P.S. § 162.12, by failing to keep true fiscal records as to its activities in Pennsylvania and/or failing to make the records available for inspection upon demand by the Department.
- c. Respondent violated Section 15(a)(2) of the Act, 10 P.S. § 162.15(a)(2), by utilizing unfair or deceptive acts or practices or engaging in any fraudulent conduct which creates a likelihood of confusion or of misunderstanding by representing on Respondent's solicitation material that it was a 501(c)(3) corporation, when in fact, its 501(c)(3) status had been revoked.

PUBLIC REPRIMAND

- b. A **PUBLIC REPRIMAND** is hereby issued upon Respondent.

COOPERATION WITH DISTRICT ATTORNEY

- d. Respondent shall fully cooperate with the Bucks County District Attorney's Office in all efforts taken by the office to pursue any actions and to achieve full restitution in this matter.

CEASE & DESIST

- e. Respondent shall cease and desist and not represent, either directly or indirectly, that by this Consent Agreement the Bureau of Charitable Organizations has sanctioned, condoned, approved or pardoned any part or aspect of Respondent's activities.

f. Respondent shall not, either directly or indirectly, participate in any activities within the Commonwealth of Pennsylvania in violation of the Act.

g. Respondent shall not assume any position in any charitable organization, whether voluntary or paid, that involves the solicitation, collection or expenditure of contributions.

CASE SETTLED AND DISCONTINUED

h. This case shall be deemed settled and discontinued upon the Secretary issuing an Order that approves this Consent Agreement and adopts and incorporates the terms set forth in this paragraph.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

5. Respondent waives the filing of an Order to Show Cause in this matter.

6. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter and knowingly and voluntarily waives 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 orally or through submission of a brief, and to take appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

7. Respondent acknowledges that she is aware that she has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. To the extent that Respondent is not represented by legal counsel, Respondent has knowingly elected to proceed without the assistance of legal counsel.

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.

9. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Secretary issues an Order approving this Consent Agreement and adopting and incorporating the terms set forth in paragraph 4, above.

EFFECT OF SECRETARY'S REJECTION

10. Should the Secretary of the Commonwealth decide not to approve this Consent Agreement, presentation to, and consideration of this Consent Agreement and other documents and matters by the Secretary of the Commonwealth 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.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

11. The parties acknowledge that other federal, state and/or local agencies or governmental units may have jurisdiction over the activities of or representations made by Respondent. Nothing in this Consent Agreement and Order 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.

ENTIRE AGREEMENT

12. This agreement contains the whole agreement between the participants; 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.

VERIFICATION OF FACTS AND STATEMENTS

13. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information, and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

T'rese M. Evancho
T'rese M. Evancho
Prosecuting Attorney
Department of State

Date: 10/01/2014

Donald Tollefson
Donald Tollefson t/d/b/a Winning Ways
Education
Respondent

Date: 9/29/14

Date: March 4, 2014

Drew Koser:

The following is in response to your March 4, 2014 request for delivery information on your Certified Mail™ item number 9171969009350023169620. The delivery record shows that this item was delivered on August 2, 2013 at 3:29 pm in PHILADELPHIA, PA 19106. The scanned image of the recipient information is provided below.

Signature of Recipient :



DON TOLLETSON

Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service

EXHIBIT
A

Koser, Drew

From: US_Postal_Service@usps.com
Sent: Friday, September 27, 2013 8:23 AM
To: Koser, Drew
Subject: U.S. Postal Service Track & Confirm email Restoration - 9171969009350023169620

This is a post-only message. Please do not respond.

drew koser has requested that you receive this restoration information for Track & Confirm as listed below.

Current Track & Confirm e-mail information provided by the U.S. Postal Service.

Label Number: 9171969009350023169620

Service Type: Certified Mail™

Shipment Activity	Location	Date & Time
Delivered	PHILADELPHIA PA 19106	August 2, 2013 3:29 pm
Available for Pickup	PHILADELPHIA PA 19106	August 1, 2013 9:56 am
Processed at USPS Origin Sort Facility	PHILADELPHIA PA 19176	July 31, 2013 2:25 am
Depart USPS Sort Facility	PHILADELPHIA PA 19176	July 30, 2013
Processed at USPS Origin Sort Facility	PHILADELPHIA PA 19176	July 30, 2013 4:35 pm
Depart USPS Sort Facility	HARRISBURG PA 17107	July 30, 2013
Processed at USPS Origin Sort Facility	HARRISBURG PA 17107	July 29, 2013 10:59 pm
Electronic Shipping Info Received	HARRISBURG	July 29, 2013
Accepted at USPS Origin Sort Facility	HARRISBURG PA 17110	July 29, 2013 9:10 pm

USPS has not verified the validity of any email addresses submitted via its online Track & Confirm tool.

For more information, or if you have additional questions on Track & Confirm services and features, please visit the Frequently Asked Questions (FAQs) section of our Track & Confirm tool at <http://www.usps.com/shipping/trackandconfirmfaqs.htm>.

English

Customer Service

USPS Mobile

Register / Sign In



Search USPS.com or Track Packages

Quick Tools
Track & Confirm

Enter up to 10 Tracking # Find

Find USPS Locations
Buy Stamps
Schedule a Pickup
Calculate
Find a ZIP Code
Hold Mail
Change of Address

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

Track & Confirm

PRINT DETAILS

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171969009350023169620	First-Class Mail®	Delivered	August 2, 2013, 3:29 pm	PHILADELPHIA, PA 19106	Scheduled Delivery Day: July 31, 2013 Certified Mail™ Return Receipt Electronic
		Available for Pickup	August 1, 2013, 9:56 am	PHILADELPHIA, PA 19106	
		Processed at USPS Origin Sort Facility	July 31, 2013, 2:25 am	PHILADELPHIA, PA 19176	
		Depart USPS Sort Facility	July 30, 2013	PHILADELPHIA, PA 19176	
		Processed at USPS Origin Sort Facility	July 30, 2013, 4:35 pm	PHILADELPHIA, PA 19176	
		Depart USPS Sort Facility	July 30, 2013	HARRISBURG, PA 17107	
		Processed at USPS Origin Sort Facility	July 29, 2013, 10:59 pm	HARRISBURG, PA 17107	
		Electronic Shipping Info Received	July 29, 2013		
		Accepted at USPS Origin Sort Facility	July 29, 2013, 9:10 pm	HARRISBURG, PA 17110	

Check on Another Item

What's your label (or receipt) number?



LEGAL

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- Terms of Use »
- FOIA »
- No FEAR Act EEO Data »

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- Inspector General »
- Postal Explorer »



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Please return registration form with payment to:
 Drive For Tolly's Kids
 c/o Winning Ways
 Attn: Don Tollefson
 PO Box 40035
 Philadelphia, PA, 19106-0035

Sponsor Registration Form

Enclosed is our donation as a:

- Presenting Sponsor \$15,000
- Apparel Sponsor \$7,500
- Live Auction & Dinner Sponsor \$6,000
- Platinum Sponsor \$5,000
- Official Car Sponsor \$4,500
- Golf Hat Sponsor \$6,000
- Gold Sponsor \$2,950
- Silver Sponsor \$1,500
- Refreshment Sponsor \$1,750
- Hole Sponsor \$500
- Reception Auction & Dinner Guest \$95
- Sorry I can not participate enclosed is a tax deductible gift of \$ _____

Winning Ways is a non profit 501c(3) corporation
 (Tax ID#581993203)

**Please make check out to "Winning Ways"
 or charge my credit card**

- Visa Mastercard American Express

Name _____
 Company _____
 Address _____
 City _____ State _____ Zip _____
 Telephone _____
 Email _____
 \$ _____ Amount _____
 Card # _____ Exp. Date _____
 Signature _____



WINNING WAYS EDUCATION

**Drive For Tolly's Kids
 Golf Classic, Dinner & Auction**

Monday, July 23, 2012

Waynesborough Country Club
 Paoli, Pennsylvania

Waynesborough Country Club

This year's Drive For Tolly's Kids will take place at one of the areas most beautiful and challenging private country clubs located in Chester County.

Waynesborough Country Club in Paoli, Pennsylvania was designed by George Fazio and has twice hosted the PGA Tour's SEI Classic.

Any questions please call or email:

- Don Tollefson**
215-990-4413
tollie66@yahoo.com
- Kevin Scanlon**
610-566-1171
kevin@edgolfevents.com
- Rachel Kane**
516-668-2739
rachel@edgolfevents.com

**EXHIBIT
 B**

DEAR FRIEND OF WINNING WAYS EDUCATION

On July 23rd, at the prestigious Waynesborough Country Club, Winning Ways will present its inaugural golf classic, "DRIVE FOR TOLLY'S KIDS". We have an AWESOME day planned for you with golf, gourmet meals and one of the largest sports and travel auctions ever offered at a charity event.

For more than 20 years, Don Tollefson & Winning Ways have offered career development, anti-hatred and anti-violence programs in the greater Philadelphia region. Tens of thousands of disadvantaged youngsters have learned positive life lessons and created a culture of positive peer pressure that has transformed communities and gained national attention.

Now as Winning Ways launches its biggest ever career curriculum, you can help Don help these youngsters who deserve our best effort at cultivating & nurturing bright futures.

We hope that you will consider sponsoring the The Drive for Tolly's Kids and in so doing, help make an enormous impact on the lives of these beautiful children. Thanks in advance for caring so much about them and we'll see you on July 23, 2012.

Gratefully Yours,

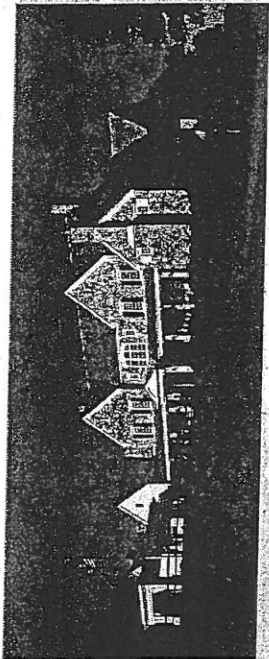
Tolly

Don "Tolly" Tollefson

TOURNAMENT SCHEDULE

- 9:00 a.m. Registration
- 9:30 a.m. Golf Health & Fitness Evaluations
- 11:00 a.m. Shotgun Start / Lunch on Course
- 4:30 p.m. Reception & Silent Auction
- 5:00 p.m. Dinner & Live Auction hosted by Don Tollefson

For additional information
www.drivefortollyskids.com



SPONSORSHIP OPPORTUNITIES

PRESENTING SPONSOR (1 Available) (\$15,000 - 2012 / \$20,000 - 2013)

- Name incorporated into event title "Drive For Tolly's Kids Presented by..."
- Name and logo incorporated into all tournament promotional marketing materials
- Three foursomes & twelve gift packages
- Twenty-four invitations to Auction Dinner & Reception
- Two hole sponsorships
- Recognition in program, website & sponsorboard
- VIP Day at Eagles Camp in August for 15 guests who will join Don Tollefson on sidelines for practice, plus a Player "Meet & Greet" and football themed luncheon for all.

APPAREL SPONSOR (1 Available) (\$7,500)

- Name embroidered on sleeve of all participants' apparel gifts
- Two foursomes & eight gift packages
- Sixteen invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

LIVE AUCTION & DINNER SPONSOR (1 Available) (\$6,000)

- Sponsor recognition at entrance to dinner & live auction
- Two foursomes & eight gift packages
- Sixteen invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

PLATINUM SPONSOR (\$5,000)

- Two foursomes & eight gift packages
- Sixteen invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

For additional information
www.drivefortollyskids.com

OFFICIAL CAR SPONSOR (1 Available) (\$4,500)

- Automotive exclusivity
- Right to display vehicles at tournament
- Right to hole-in-one promotion
- One foursome & four gift packages
- Four invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

GOLF HAT SPONSOR (1 Available) (\$4,500)

- Company name & logo on all golf hats
- One foursome & four gift packages
- Four invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

GOLD SPONSOR (\$2,950)

- One foursome & four gift packages
- Four invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

SILVER SPONSOR (\$1,500)

- One twosome & two gift packages
- Two invitations to Auction Dinner & Reception
- Recognition in program, website & sponsorboard

REFRESHMENT SPONSOR (2 Available) (\$1,750)

- Company name & logo at on-course refreshment stand
- One Twosome & two gift packages
- Two invitations to Auction Dinner & Reception
- One hole sponsorship
- Recognition in program, website & sponsorboard

HOLE SPONSOR (\$500)

- Recognition on one hole sign
- Recognition in program

AUCTION DINNER GUEST (\$95)

- One invitation to Reception, Silent and Live Auction & Dinner

For additional information
www.drivefortollyskids.com



Exempt Organizations Select Check[Exempt Organizations Select Check Home](#)

Automatic Revocation of Exemption Information

The federal tax exemption of this organization was automatically revoked for its failure to file a Form 990-series return or notice for three consecutive years. The information listed below for each organization is *historical*; it is current as of the organization's effective date of automatic revocation. The information is not necessarily current as of today's date. Nor does this automatic revocation necessarily reflect the organization's tax-exempt or non-exempt status. The organization may have applied to the IRS for recognition of exemption and been recognized by the IRS as tax-exempt *after* its effective date of automatic revocation. To check whether an organization is currently recognized by the IRS as tax-exempt, call Customer Account Services at (877) 829-5500 (toll-free number).

Revocation Date (effective date on which organization's tax exemption was automatically revoked):
15-May-2010

Employer Identification Number (EIN):
58-1993203

Legal Name:
WINNING WAYS EDUCATIONAL RESEARCH

Doing Business As:

Mailing Address:
PO BOX 7793
GREENSBORO, NC 27417-0793
United States

Exemption Type:
[501\(c\)\(3\)](#)

Revocation Posting Date (date on which IRS posted notice of automatic revocation on IRS.gov):
09-Jun-2011

[Return to Search Results](#) [Return to Search Page](#)

EXHIBIT

C



Exempt Organizations Select Check

[Exempt Organizations Select Check Home](#)

Automatic Revocation of Exemption – Search Results

The federal tax exemption of each organization listed below was automatically revoked for its failure to file a Form 990-series return or notice for three consecutive years. The revocation date listed below for each organization is *historical*; it reflects an organization's effective date of automatic revocation for not filing a Form 990-series return or notice for three consecutive years, but not necessarily its current tax-exempt or non-exempt status. The organization may have applied to the IRS for recognition of exemption and been recognized by the IRS as tax-exempt *after* its effective date of automatic revocation. Click on an organization's name to see more details on that organization. To check whether an organization is currently recognized by the IRS as tax-exempt, call Customer Account Services at (877) 829-5500 (toll-free number).

Results are sorted by EIN. To sort results by another category, click on the icon next to the column heading for that category. Clicking on that icon a second time will reverse the sort order. Click on a column heading for an explanation of information in that column.

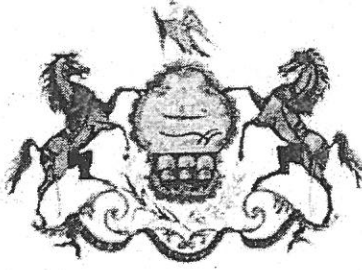
1-1 of 1 results

Results Per Page | 25 |

« Prev | 1-1 | Next »

<u>EIN</u> ▲	<u>Legal Name (Doing Business As)</u> ▲	<u>City</u> ▲	<u>State</u> ▲	<u>ZIP</u> ▲	<u>Country</u> ▲	<u>Exemption Type</u> ▲	<u>Revocation Date</u> ▲	<u>Revocation Posting Date</u> ▲
58-1993203	WINNING WAYS EDUCATIONAL RESEARCH	GREENSBORO	NC	27417	US	501(c)(3)	15-May-2010	09-Jun-2011

« Prev | 1-1 | Next »



IN THE MATTER OF:

Donald Tollefson t/d/b/a Winning Ways Education

DOCKET NO. -98-14

FILE NO. 14-98-08067

ORDER

AND NOW, this 23RD day of OCTOBER 2014 the foregoing Consent Agreement is hereby approved and the terms set forth in paragraph 4 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

Carol Aichele
Secretary of the Commonwealth

For the Commonwealth:

T'rese M. Evancho, Esquire
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

Donald Tollefson t/d/b/a Winning Ways
Education
1326 N. 15th Street
Philadelphia, PA 19121

Date of Mailing: October 27, 2014