

4. Respondent operated as an unregistered charitable organization in Pennsylvania from September 1, 2014 through September 23, 2020 and November 16, 2021 through March 30, 2022.

5. Respondent first exceeded \$25,000.00 per annum in contributions on or about August 1, 2014, but failed to initially register as a charitable organization with the Department of State, Bureau of Corporations and Charitable Organizations (Bureau) until on or about September 23, 2020.

6. Respondent cannot provide supporting documentation for approximately \$7,575.58 of expenditures.

7. Respondent stated on its website it was sending a medical team from the Children's Hospital of Philadelphia (CHOP) to Guatemala to provide free medical care and reconstruction surgeries for impoverished indigenous persons born with a cleft lip and/or palate and solicited contributions for this purpose. Respondent admitted that this statement is false in that no such medical team from CHOP exists. Medical personnel that went to Guatemala consisted of, in part, volunteers employed by CHOP, as well as other volunteers, but there was no formal CHOP medical team created for the purpose of going to Guatemala.

8. Respondent applied charitable contributions in a manner that was not consistent with the charitable purpose of the organization by paying expenses of another organization. The Foundation admitted it improperly disbursed \$3,959.75 in donated funds to pay the expenses of the Conshohocken-Plymouth-Whitemarsh Rotary Club. After investigation by the Bureau, the improper disbursement was returned to Respondent.

9. Respondent breached its fiduciary duty to assure that contributions were used in a manner consistent with the charitable purpose of the organization. Respondent admitted it

improperly disbursed \$3,959.75 in donated funds to pay the expenses of the Conshohocken-Plymouth-Whitemarsh Rotary Club.

10. Respondent is currently registered as a charitable organization with the Bureau and has been issued Certificate of Registration No.: 116785.

11. Respondent engaged in charitable activities in Pennsylvania, even though Respondent was not exempt from registration under 10 P.S. § 162.6(a)(8) since Respondent received contributions in excess of \$25,000.00 per annum.

AGREED VIOLATIONS

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

a. Violating Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.5(a), by soliciting contributions without the approved registration filed with the Bureau.

b. Violating Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.6(a)(8), by failing to file the appropriate registration statement within 30 days after contributions are received.

c. Violating Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.12, by failing to keep true fiscal records as to its activities in this Commonwealth.

d. Violating 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.

PROPOSED ORDER

8. 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. § 162.5(a), by soliciting contributions without the approved registration filed with the Bureau.

b. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.6(a)(8), by failing to file the appropriate registration statement within 30 days after contributions are received.

c. Respondent violated Section 15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.12, by failing to keep true fiscal records as to its activities in this Commonwealth.

d. Respondent violated 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.

ADMINISTRATIVE PENALTIES

9. An **ADMINISTRATIVE FINE of Twenty-eight Thousand Dollars (\$28,000.00)** is levied upon Respondent. Respondent shall tender the full sum of **Twenty-eight Thousand Dollars (\$28,000.00)**, with this executed Consent Agreement. Payment shall be by certified check, cashier's check, attorney's check, or U.S. Postal money order. 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. Respondent agrees that payment will be made by one of the

methods indicated in herein and that payment by uncertified personal check, corporate check or cash will not be accepted.

CASE SETTLED AND DISCONTINUED

10. 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

11. 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

12. 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

13. 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


14. 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


15. 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

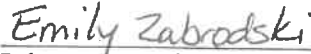
16. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn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

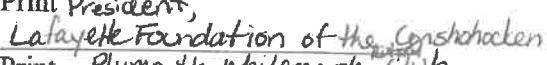


Michael J. Bennett
Prosecuting Attorney
Department of State
Commonwealth of Pennsylvania

/s/ 

Lafayette Foundation of the Conshohocken
Plymouth-Whitemarsh Rotary Club,
Respondent

By: 

Print President,
Title: 
Print Plymouth Whitemarsh Club

DATE: 25 AUG 2022

DATE: 8/18/2022



IN THE MATTER OF

**Lafayette Foundation of the Conshohocken-Plymouth-Whitemarsh Rotary
Club**

File No.: 20-98-005985

ORDER

AND NOW, this 12th day of September 2022, the foregoing Consent Agreement is hereby approved, and the terms set forth herein are hereby adopted and incorporated herein as the Order of the Acting Secretary of the Commonwealth, now issued in resolution of this matter.

THIS ORDER shall take effect immediately.

BY ORDER:

A handwritten signature in cursive script, reading "Leigh M. Chapman", written over a horizontal line.

Leigh M. Chapman
Acting Secretary of the Commonwealth

For the Commonwealth:

Michael J. Gennett
Prosecuting Attorney
Capitol Complex
306 North Office Building
401 North Street
Harrisburg, Pennsylvania 17120

Attorney for Respondent:

Laura Solomon, Esquire
121 Sibley Avenue
Ardmore, PA 19003