

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE  
REGULATION AND ENFORCEMENT

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IN THE MATTER OF:	)	ADMINISTRATIVE
MR. DANIEL SERVICK	)	PROCEEDING NUMBER: <u>AA-12010</u>
513 MADISON ST.	)	
HUNTSVILLE, AL 35801	)	

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**CONSENT AGREEMENT**

**I. Jurisdiction**

Finding it appropriate in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (hereafter "Division"), on behalf of the Secretary of State, having the power to administer and to provide for the Mississippi Athlete Agents Act, Miss. Code Ann. § 73-42-1 (hereafter "Act"), and Respondent do hereby enter into this Consent Agreement (hereafter "Agreement"). In lieu of the issuance of formal charges by the Division alleging a violation of the Act, this Agreement is entered into by the Division and the Respondent.

**II. Agreement**

Respondent admits the jurisdiction of the Division as to all parties and matters herein under the authority of the Act. In consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate to the following:

1. Pursuant to Miss. Code Ann. § 73-42-3(b), an athlete agent is an individual who enters into an agency contract with a student-athlete, or directly or indirectly recruits, induces, or solicits a student-athlete to enter into an agency contract.

2. Parties acknowledge and agree that Respondent, via text messaging, contacted Terrance Henry, a “student-athlete” pursuant to Miss Code Ann. § 73-42-3(1), after a University of Mississippi basketball game in January of 2012. During the communication, Respondent “sent [Terrance Henry] several text messages in order to introduce [Servick] and [Pro One Sports Management] to Terrance, and to let him know [Servick] would like the opportunity to meet him after the season.”
3. Parties acknowledge and agree that the Respondent, Mr. Daniel Servick, 513 Madison St., Huntsville, AL 35801 acted as an “athlete agent” pursuant to Miss. Code Ann. § 73-42-3(b).
4. Pursuant to Miss. Code Ann. § 73-42-7(1), an individual may not act as an athlete agent in the State of Mississippi before being issued a certificate of registration under §§ 73-42-11 or 73-42-15. Parties acknowledge and agree that the Respondent has never obtained this necessary certificate of registration. Consequently, Respondent’s actions violated Miss. Code Ann. § 73-42-7(1).
5. As such, Respondent agrees to the following:
  - a. Pursuant to Miss. Code Ann. § 73-42-33, Respondent agrees to pay an administrative penalty of one thousand dollars (\$1,000) for violating Mississippi Code Annotated Section 73-42-7(1).
  - b. As a result of this Agreement, the Division agrees to not pursue any further actions against Respondent regarding the aforementioned violation. Respondent agrees to forego any appeal rights it might have to the Division’s enforcement action that is the subject of this Consent Agreement.

- c. Both parties understand that the entry of this Agreement represents the final, unappealable settlement of regulatory claims by the Division against the Respondent.

### III. Acknowledgement

The parties acknowledge that they have read this Agreement in its entirety and fully understand the rights, terms, and obligations of each contained therein and they have been vested with the express authority to enter into this Agreement. The parties further acknowledge that they have not been threatened or otherwise coerced into entering into this Consent Agreement.

The undersigned hereby acknowledge and agree to the terms and conditions of the foregoing Agreement by written consent.

So Agreed, this the 9<sup>th</sup> day of OCTOBER, 2012.

By:   
Daniel Servick

Date: 10 / 9 / 12

C. DELBERT HOSEMAN, JR.  
SECRETARY OF STATE  
In his Official Capacity

By:   
Dave Scott  
Assistant Secretary of State  
Regulation and Enforcement

Date: 10-9-12