

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is entered into between SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION (hereinafter "SSPBA") and ERIC CLARK in his official capacity as MISSISSIPPI SECRETARY OF STATE (hereinafter "SOS").

PARTIES

1. SSPBA is a Georgia nonprofit corporation located at 1900 Brannan Road, McDonough, Georgia 30253. At all times relevant herein, SSPBA was registered with the Division as a charitable organization.
2. Eric Clark is the duly elected Secretary of State for the State of Mississippi.

JURISDICTION

3. SSPBA herein acknowledges and confesses the jurisdiction of the Secretary of State as to the parties and the subject matter of this Memorandum of Understanding.

RECITALS

4. The Division alleged in its Amended Summary Cease and Desist Order and Notice of Intent to Impose Administrative Penalty and Revoke Registration against SSPBA the following:
 - A. SSPBA engaged in unfair and deceptive acts (1) by sending pledge confirmations to Mississippi residents who did not agree to make any contributions and (2) by representing that one hundred percent (100%) of its donations go towards its charitable purposes.
 - B. Section 79-11-519(6) of the Act prohibits charitable organizations from using any representation that implies that the contribution is for or on behalf of a public safety organization, the Mississippi State Troopers Association, or for the benefit of any other police departments or organizations without the organization's written authorized consent. SSPBA used representations implying that the contributions were for or on behalf of the Mississippi State Troopers Association without that organization's written authorized consent.

TERMS OF AGREEMENT

Now, therefore, in consideration of the foregoing and mutual promises and covenants contained herein, the parties agree as follows:

5. SSPBA agrees to pay SOS in the amount of Twenty Five Thousand Dollars (\$25,000.00) and agrees to remit payment to the "Mississippi Secretary of State" upon execution of this Memorandum of Understanding.
6. SSPBA agrees not to send pledge confirmations to Mississippi residents, who did not agree to make any contributions, and agrees not to misrepresent that one hundred percent (100%) of its donations go towards its charitable purposes when that is not the case. A portion of SSPBA's revenue goes towards its administrative expenses.
7. SSPBA agrees not to make any representations implying that the contributions are for, or on behalf of, the Mississippi State Troopers Association or for the benefit of any other police departments or organizations without the organization's written authorized consent. In addition, SSPBA agrees to make it clear that contributions are for members of SSPBA only.
8. This Memorandum of Understanding resolves any and all of the allegations of the SOS known to the SOS up until the date of the execution of this agreement. SSPBA neither admits, nor denies the allegations of the SOS.
9. SSPBA agrees to comply with the Mississippi Charitable Solicitations Act and Rules promulgated thereunder in the future.

The parties herein acknowledge that they have read all the terms of this Memorandum of Understanding, that it is complete, and they agree to comply with all of the terms herein. The parties further agree that any change, modification or alteration of this document may only be done in writing agreed to by all parties.

ERIC CLARK, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE

By: James O. Nelson II Date: 8/24/06
 JAMES O. NELSON, II
 Assistant Secretary of State *By M.K. Thomas*

SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION

By: Mary Ann Duke Date: 8/25/06
 SIGNATURE
Grady K. Dukes
 PRINT NAME

Title: Staff Attorney

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