

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE  
SECURITIES AND CHARITIES DIVISION

IN THE MATTER OF: )  
)  
)  
Brent-Wyatt West, Michael Pearson, )  
and J. Thomas McEuen ) Administrative Proceeding  
) No. C-11-0199  
)  
)  
*Respondents* )

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CONSENT ORDER

I.

The Securities and Charities Division of the Office of the Mississippi Secretary of State ("Division"), having the authority to administer and to provide for enforcement of all provisions of the Mississippi Charitable Solicitations Act ("Act"), and Respondents do hereby enter into this Consent Order in resolution of the following allegations by the Division of the violations of certain provisions of the Act:

1. Brent-Wyatt West ("BWW") is a professional fund-raiser as defined in Section 79-11-501(g) (2009) of the Act and properly registered with the Division pursuant to Miss. Code Section 79-11-513.
2. As a professional fund-raiser, BWW employs professional solicitors to solicit contributions in and from Mississippi.
3. Michael Pearson ("Pearson") is a professional solicitor as defined in Section 79-11-501(h) (2009) of the Act employed by BWW and properly registered with the Division pursuant to Section 79-11-517.
4. J. Thomas McEuen ("McEuen") is a professional solicitor as defined in Section 79-11-501(h) (2009) of the Act employed by BWW and properly registered with the Division pursuant to Section 79-11-517.

5. BWW fundraises on behalf of the Mississippi Wildlife Enforcement Officers' Association ("MWEOA"). MWEOA is a charitable organization properly registered with the Division.
6. MWEOA publishes a magazine. BWW fundraises for MWEOA by selling advertising in the magazine.
7. The Division has received two (2) complaints against BWW by Mississippi residents alleging violations of the Act. The complaints are as follows:
  - a. On or about April 4, 2011, Pearson called a Mississippi resident selling advertisements. During the course of the telephone conversation, Pearson represented himself to this Mississippian as an employee of the Mississippi Department of Wildlife, Fisheries and Parks.
  - b. On or about July 13, 2011, McEuen called a Mississippi resident to sell her an advertisement. When she hesitated to give him her credit card information over the telephone, he attempted to assure her by representing that he was a law enforcement officer.
8. At all relevant times, Pearson and McEuen were not employees of the Mississippi Department of Wildlife, Fisheries and Parks or any other conservation or law enforcement agency; therefore, their representations violated both Miss. Code Sections 79-11-0519(6)(c) and 79-11-519(3)(h).
9. The foregoing allegations are also violations of an existing Consent Order. BWW has previously entered into a Consent Order with the Division and paid an administrative penalty of Seven Thousand Five Hundred Dollars (\$7,500.00) for similar violations. A copy of the previous Consent Order is attached as an Exhibit to this Order. Paragraph 4. of the previous Consent Order states as follows:
  4. *Respondent agrees that it will comply with the provisions of the Mississippi Charitable Solicitations Act as currently in effect or as may be subsequently amended.*

II.

BWW, Pearson, and McEuen, under the terms of this Consent Order and solely for the purpose of resolving the foregoing allegations, stipulate without a hearing to the matters set forth above in Paragraph I. Respondents consent to the issuance of this Consent Order and further consent to and agree to the undertakings contained herein with no formal administrative hearing and determination of wrongdoing. Furthermore, the undersigned agent for Respondent BWW acknowledges that he has been lawfully vested with the authority to enter into this Consent Order on behalf of BWW.

III.

THEREFORE, in consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate as follows:

1. BWW, Pearson, and McEuen stipulate to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and acknowledge that the issuance of this Consent Order is solely for the purpose of resolving the matters set forth herein.

**BWW**

2. BWW stipulates that it will no longer use Pearson or McEuen as professional solicitors calling to solicit contribution in or from Mississippi.
3. The Division shall impose a penalty upon BWW in the amount of Ten Thousand Dollars (\$10,000.00). BWW shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this Order.
4. BWW agrees that it will comply with the provisions of this Order and the Act as currently in effect or as may be subsequently amended.

**PEARSON**

5. Pearson agrees that he will not act as a professional solicitor soliciting contributions in or from Mississippi for one (1) year.

6. The Division shall impose a penalty upon Pearson in the amount of Five Hundred Dollars (\$500.00). Pearson shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this Order.
7. Pearson agrees that it will comply with the provisions of this Order and the Act as currently in effect or as may be subsequently amended.

**McEuen**

8. McEuen agrees that he will not act as a professional solicitor soliciting contributions in or from Mississippi for one (1) year.
9. The Division shall impose a penalty upon McEuen in the amount of Five Hundred Dollars (\$500.00). McEuen shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this Order.
7. McEuen agrees that it will comply with the provisions of this Order and the Act as currently in effect or as may be subsequently amended.
8. This Consent Order is in resolution of the matters contained herein. As a result of this Consent Order, the matters contained herein cannot be used as a basis for action by the Division except in determining any penalty as may be imposed by the Division for any future violations of the Act committed by the Respondents and as set forth below.

**IV.**

In the event Respondents fail or neglect to comply with any of the items, stipulations or undertakings set forth in this Consent Order, the Division may, without notice to Respondents, unilaterally rescind this Order and institute any legal or administrative proceeding it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

ISSUED, this, the 27<sup>th</sup> day of June, 2012.

C. DELBERT HOSEMANN, JR.  
Secretary of State

BY: *Patricia Melvin*  
PATRICIA MELVIN  
Chief Counsel  
Securities and Charities Division

BRENT-WYATT WEST

BY: *Paul Dimerman*  
Signature

*PAUL DIMERMAN*  
Print Name

*owner*  
Title

*6/28/12*  
Date

MICHAEL PEARSON

*Michael Pearson*

*6/28/12*  
Date

J. THOMAS McEUBEN

*John Thomas McEuben*

*6/27/12*  
Date