

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF:)

CJW, INCORPORATED)
Post Office Box 812)
Port Clinton, Ohio 43452)

Administrative Proceeding
Number: C-08-0054

Respondent

CONSENT AGREEMENT

I.

The Business Regulation and Enforcement Division of the Mississippi Secretary of State's Office (hereinafter "Division") having the power to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act (hereinafter "Act"), and Respondent CJW, INCORPORATED do hereby enter into this Consent Agreement in resolution of the following allegations by the Division of violations of certain provisions of the Act.

1. Respondent is a "professional fund-raiser" as defined in Miss. Code Ann. § 79-11-513.
2. Respondent entered into a contract with Jackson V.A., Fraternal Order of Police, Lodge 20 (hereinafter "Jackson V.A., FOP") on February 20, 2008 to perform fund-raising services for Jackson V.A., FOP. Respondent was not registered with the Division to perform these services on behalf of Jackson V.A., FOP as required under Miss. Code Ann. § 79-11-513.
3. Respondent failed to comply with the contract requirements in Miss. Code Ann. § 79-11-515. Specifically, Respondent failed to file a copy of the contract with the Division ten (10) days prior to the performance of its fund-raising services. The Division received a copy of the contract between Respondent and Jackson V.A., FOP after Respondent had already begun fund-raising on behalf of Jackson V.A., FOP. In addition, Respondent failed to submit the information required under Miss. Code Ann. § 79-11-515(2) prior to the commencement of its solicitation activities.

4. Respondent failed to comply with Rule 307 of the Mississippi Charitable Solicitations Act Rules (hereinafter "Rules") by failing to submit a solicitation campaign notice prior to the commencement of the campaign.
5. Pursuant to Miss. Code Ann. § 79-11-519 (3)(k), § 79-11-519 (3)(l) & § 79-11-519 (3)(n), it shall be a violation of the Act to make any false or misleading statements in the solicitation of contributions, engage in any act or practice which would operate as fraud or deceit, or obtain money or property by false pretense. The Division received complaints from citizens of the State of Mississippi complaining that solicitors employed by Respondent were calling them and indicating that they were police officers when in fact, they were not.
6. Respondent failed to comply with the requirements in Miss. Code Ann. § 79-11-519(5) (a) when it performed services on behalf of Jackson V.A., FOP, an un-registered charitable organization.
7. Pursuant to Miss. Code Ann. § 79-11-529, in connection with any solicitation, any person engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person, or obtaining money or property by means of any false pretense shall be punished by a fine not exceeding Twenty-five Thousand (\$25,000.00) upon conviction.

II.

Respondent, under the terms of this Consent Agreement and solely for the purpose of resolving the foregoing allegations, stipulates without a hearing to the matters set forth above in Paragraph I and hereby consents to the issuance of this Consent Agreement and further consents to and agrees to the undertakings contained herein, with no formal administrative hearing and determination of wrongdoing. Furthermore, the undersigned agent for the Respondent acknowledges that he/she has been lawfully vested with the authority to enter into this Consent Agreement on behalf of the Respondent.

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. Respondent stipulates to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and acknowledges that the issuance of this Consent Agreement is solely for the purpose of resolving the matters set forth herein.
2. The Division shall impose an administrative fine upon the Respondent in the amount of Seventy-Five Hundred Dollars (\$7,500.00). Five Thousand Dollars (\$5,000.00) shall be made payable to the "Mississippi Secretary of State" upon execution of this Agreement. Twenty-Five Hundred Dollars (\$2,500.00) shall be made payable to the "Mississippi Secretary of State" by 5:00pm on October 15, 2008.
3. This Consent Agreement is in resolution of the matters contained herein. As a result of this Consent Agreement, 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 Respondent and as set forth below.
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.

IV.

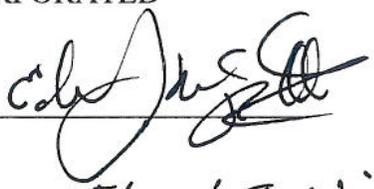
In the event Respondent fails or neglects to comply with any of the terms, stipulations or undertakings set forth in this Consent Agreement, the Division may, without notice to the Respondent, unilaterally rescind this Agreement and institute any legal or administrative proceedings it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

DELBERT HOSEMANN
Secretary of State

By: _____
TANYA G. WEBBER
Senior Attorney
Business Regulation & Enforcement

Date: _____

CJW, INCORPORATED

Sign Name: 

Print Name: Edward J. Wiza III

Title: Pres.

Date: 8/3/08