# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Federal Trade Commission; all Fifty States; and the District of Columbia;

Plaintiffs,

VS.

Cancer Fund of America, Inc., a Delaware corporation, et al.;

Defendants.

CASE NO.

STIPULATION RE ORDER APPOINTING RECEIVER OVER CHILDREN'S CANCER FUND OF AMERICA, INC.

Plaintiffs, the Federal Trade Commission ("FTC" or "Commission") and the states of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia, and Defendant Children's Cancer Fund of America, Inc. ("CCFOA"), having stipulated to the entry of a separate and concurrently filed Stipulated Order for Permanent Injunction and Monetary Judgment Against Children's Cancer Fund of America, Inc., and Rose Perkins, further stipulate to

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the entry of this Stipulated Order Appointing a Receiver Over Children's Cancer Fund of America, Inc. ("Order").

THEREFORE, IT IS ORDERED as follows:

#### **FINDINGS**

- 1. Plaintiffs and CCFOA have consented to entry of a Stipulated Order for Permanent Injunction and Monetary Judgment Against Children's Cancer Fund of America, Inc., and Rose Perkins ("Permanent Injunction").
- 2. The Permanent Injunction requires that the assets of CCFOA be liquidated to partially satisfy the monetary judgment entered against it and its corporate existence be dissolved.
- 3 Plaintiffs and CCFOA have consented to entry of this Stipulated Order Appointing Receiver Over Children's Cancer Fund of America, Inc.
- 4. Pursuant to the Federal Rules of Civil Procedure, this Court's general equitable authority, and Sections 13(b) and 19 of the Federal Trade Commission Act, 15 U.S.C. § 53(b) and 57b, this Court has the authority to enter the requested relief.

#### **DEFINITIONS**

For purposes of this Order, the following definitions shall apply:

- "CCFOA" means Children's Cancer Fund of America, Inc. ("CCFOA"), and its successors and assigns.
- "GAIC Policies" means the Great American Insurance Company ("GAIC") "Nonprofit Solution" Insurance Policies, Policy No. EPP8196687, for the Policy Periods of: (1) August 7, 2009 to August 7, 2010; (2) August 7, 2010 to August 7, 2011; (3) August 7, 2011 to August 7, 2012; (4) August 7, 2012 to August 7, 2013; and (5) a Discovery Period from August 7, 2013 to August 7, 2016.
- 3. "Permanent Injunction" means the Stipulated Order for Permanent Injunction and Monetary Judgment Against Children's Cancer Fund of America, Inc., and Rose Perkins, agreed to by CCFOA and Rose Perkins.

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- 4. "STCO Fund" means the Litigation Deposits Trust Fund (Fund Code "T-xx-909N"), an interest bearing trust fund held by the Hawaii Attorney General's Office in trust for the Plaintiff States into which Section VIII.E.1 of the Permanent Injunction requires the CCFOA Receiver to deposit all monies to be paid to the Plaintiff States.
- 5. "Person" means a natural person, an organization or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.
- 6. "Fundraising" means a plan, program, or campaign that is conducted to induce charitable contributions by mail, telephone, electronic mail, social media, or any other means.
- 7. "Nonprofit organization" means any person that is, or is represented to be, a nonprofit entity, or that has, or is represented to have, a charitable purpose, specifically including but not limited to any entity that purports to benefit, either in whole or in part, individuals who suffer or have suffered from cancer.
- 8. "And" and "or" shall be construed both conjunctively and disjunctively to make the applicable sentence or phrase inclusive rather than exclusive.

#### **ORDER**

## I. APPOINTMENT OF LIQUIDATING RECEIVER

IT IS FURTHER ORDERED that Receivership Management, Inc., 783 Old Hickory Boulevard, Suite 255, Brentwood, Tennessee 37027, is appointed by this Court as Liquidating Receiver ("Receiver") with all the rights and privileges of an equity receiver over CCFOA for the purposes of taking charge of CCFOA's property and assets (except for the GAIC Policies), conducting the necessary steps to wind down the affairs of CCFOA, liquidating its assets, dissolving its corporate existence, and paying all net assets to the STCO Fund. The Receiver shall be the agent of this Court, and solely the agent of this Court, in acting as Receiver under this Order. The Receiver shall be accountable directly to this Court.

## II. RECEIVER'S DUTIES AND AUTHORITIES

IT IS FURTHER ORDERED that the Receiver shall be authorized and directed to do any and all acts necessary to the proper and lawful conduct of this receivership, subject to the control of this Court, including but not limited to:

- A. Take any and all steps that the Receiver concludes are appropriate to wind down the affairs of CCFOA, liquidate its assets, and dissolve its corporate existence;
- B. Exercise full control of CCFOA and collect, marshal, and take custody, control, and possession of all the funds, property, premises, accounts, documents, mail, and other assets of, or in the possession or under the control of, CCFOA (except the GAIC Policies), wherever situated, the income and profits therefrom, and all sums of money now or hereafter due or owing to CCFOA, with full power to collect, receive and take possession of all goods, chattels, rights, credits, monies, rents, effects, lands, leases, books and records, limited partnership records, work papers, and records of accounts, including computer maintained information, contracts, financial records, monies on hand in banks and other financial institutions, and other papers and documents of other individuals, partnership or corporations whose interest are now held by or under the direction, possession, custody, or control of CCFOA;
- C. Perform all acts necessary or advisable to complete an accounting of the assets of CCFOA, prevent unauthorized transfer, withdrawal, or misapplication of the assets of CCFOA, and preserve and pursue recovery of the assets of CCFOA from third parties (except the GAIC Policies);
- D. Make disbursements for operating expenses as may be appropriate to wind down the affairs of CCFOA, such as for undertaking repairs, and take any other actions necessary to efficiently manage all real and personal property in order to maintain its value;
- E. Purchase insurance as advisable or necessary. The Receiver may keep in force the existing insurance coverage(s), each of which shall name the Receiver as an

additional insured thereunder. The Receiver acknowledges and agrees that when this Order is entered, the GAIC Policies are not part of this Order;

- F. Enter into new or amended contracts, agreements, understandings, or other commitments and terminate or abrogate, in the Receiver's sole sound business discretion, any or all agreements, contracts, understandings, or commitments entered into by CCFOA, to the extent permitted by applicable law. The Receiver shall not be bound by any unsecured contracts, agreements, understandings, or other commitments in the nature of service contracts that CCFOA had, have, or may have with third parties, whether oral or written. The Receiver may agree to become bound by any such contracts, agreements, understandings, or other commitments by affirmative written ratification executed by the Receiver. *Provided that* the Receiver shall terminate any and all fundraising contracts within 30 days of entry of this Order.
- G. Make payments and disbursements from the assets of CCFOA that are necessary or advisable for carrying out the provisions of, or exercising the authority granted by, this Order. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred by CCFOA prior to the date of entry of this Order, except payments that the Receiver deems necessary or advisable to secure and liquidate assets of CCFOA, such as rental payments or payment of liens;
- H. Issue subpoenas to obtain documents and records pertaining to the assets of CCFOA and conduct discovery in this action on behalf of CCFOA;
- I. Institute, prosecute, defend, compromise, intervene, adjust, appear in, and become a party either in the Receiver's own name or in the name of CCFOA to such suits, actions, or proceedings in state, federal, or foreign courts as may be necessary for the protection, maintenance, recovery, recoupment, or preservation of the assets of CCFOA, including proceedings seeking the avoidance of fraudulent transfers, disgorgements of profits, imposition of constructive trusts, and any other legal and equitable relief that the Receiver deems necessary and appropriate to preserve and recover CCFOA's assets;

J. Bring such proceedings and actions as are necessary to enforce or modify the provisions of this Order;

- K. Perform all incidental acts that the Receiver deems to be advisable or necessary to manage the affairs of CCFOA during its winding down phase, liquidate its assets, and dissolve its corporate existence, including, without limitation, the following powers and responsibilities to:
- 1. Retain, hire, or dismiss any employees, independent contractors, and agents as the Receiver deems advisable or necessary;
- 2. Supervise and oversee the management of CCFOA, including making payments and paying taxes as and when the Receiver has funds available from CCFOA, or from the liquidation thereof;
- 3. Employ such counsel, real estate agents, auctioneers, appraisers, accountants, contractors, other professionals, and other such persons as may be necessary in order to carry out the duties as Receiver and to preserve, maintain, recover, recoup, and protect the assets of CCFOA;
- 4. Open new accounts with, or negotiate, compromise or otherwise modify CCFOA's existing obligations with third parties, including utility companies and other service providers or suppliers of goods and services, and to otherwise enter into such agreements, contracts, or understandings with such third parties as are necessary to maintain, preserve, and protect the assets of CCFOA; and
- 5. Open new bank, brokerage or investment accounts with respect to the Receiver's management and operation of CCFOA, and deposit any cash or other assets into said accounts;
- L. Dispose of, or arrange for the disposal of, the records of CCFOA no later than six months after the Court's approval of the Receiver's final report, except that, to the extent that any federal, state, or local law regulating CCFOA's activities requires the retention of particular records for a specified period, the Receiver shall arrange for such records to be disposed of after the specified period has expired. For any such records, the

Receiver may elect to retain records in their original form, or to retain photographic or electronic copies. Records containing personal financial information, personal identifying information, or sensitive health information must be shredded, incinerated, or otherwise disposed of in a secure manner. Records containing the name, address, email address and/or telephone number of any person who made a donation to CCFOA (i.e., any donor list) may not be sold, rented, leased, transferred, or otherwise disclosed to any third party and must be destroyed; and

M. Pay to the STCO Fund any and all sums collected over and above those necessary to wind down the affairs of CCFOA, liquidate its assets, and dissolve it, or those necessary to make payments authorized by this Receivership Order.

### III. TRANSFER OF RECEIVERSHIP PROPERTY TO RECEIVER

IT IS FURTHER ORDERED that CCFOA, its representatives, agents, officers, directors, employees, managers, members, and any other persons with possession, custody, interest in, or control of property or records relating to CCFOA shall:

- A. Upon notice of this Order by personal service or otherwise, immediately notify the Receiver of all such property and records and, upon receiving a request from the Receiver, immediately transfer or deliver to the Receiver possession, custody, and control of the following:
- 1. All assets of CCFOA, including but not limited to any legal or equitable interest in, right to, or claim to, any real, personal, or intellectual property, including chattel, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, contracts, mail or other deliveries, shares or stock, securities, inventory, checks, notes, accounts, credits, receivables (as those terms are defined in the Uniform Commercial Code), insurance policies (except for the GAIC Policies), lines of credit, cash, trusts (including asset protection trusts), lists of donor names, and reserve funds or any other accounts associated with any donations or other payments processed by, or on

behalf of, CCFOA, including such reserve funds held by payment processors, credit card processors, caging companies, banks, or other financial institutions;

- 2. All documents of CCFOA, including books and records of accounts, all financial and accounting records, balance sheets, income statements, bank records (including monthly statements, canceled checks, records of wire transfers, and check registers), client lists, donor lists, title documents, and all other materials listed in Federal Rule of Civil Procedure 34(a), including writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, digital records, and other data compilations from which information can be obtained and translated, if necessary, into reasonably usable form through detection devices;
- 3. All computers, electronic devices, machines, and data in whatever form used to conduct the business of CCFOA, and all passwords and other credentials related thereto;
- 4. All assets and documents belonging to other persons or entities whose interests are under the direction, possession, custody, or control of CCFOA; and
- 5. All keys, codes, user names, and passwords necessary to gain or to secure access to any assets or documents of CCFOA, including access to its business premises, means of communication, accounts, computer systems, or other property; and
- B. Waive all claims to, and unconditionally release and consent to transfer possession and legal and equitable title of all property of CCFOA to the Receiver or a trust designated by the Receiver; and
- C. Until CCFOA surrenders possession and legal and equitable title of all property of CCFOA to the Receiver:
- 1. Maintain and take no action to diminish the value of CCFOA's property, including any structures, fixtures, and appurtenances thereto;
- 2. Remain current on all amounts due and payable on the property of CCFOA, including but not limited to taxes, insurance, maintenance, and similar fees; and

3. Cause existing insurance coverage for the property of CCFOA to remain in force until the surrender of possession and legal and equitable title, and both notify the insurance carrier(s) immediately of the appointment of the Receiver and request that the Receiver be added to the insurance policy or policies as an additional insured thereunder.

D. Notwithstanding any other term, condition, or provision of this Order, the Receiver shall not have any legal or equitable rights to the GAIC Policies including, but not limited to, the payment of \$389,500 being made by GAIC and into the STCO Fund (the "GAIC Payment"). The Receiver expressly agrees that: (i) the GAIC Policies and the GAIC Payment are not assets that are subject to this Order; and (ii) prior to this Order becoming effective, CCFOA has agreed that the GAIC Policies are completely released, null and void, and of no effect whatsoever.

#### IV. COOPERATION

## IT IS FURTHER ORDERED that:

- A. CCFOA, its representatives, agents, officers, directors, employees, managers, members or any other persons with possession, custody, or control of property or records relating to CCFOA, must cooperate fully with the Receiver and take such other steps as the Receiver may require to transfer to the Receiver, or to the Receiver's designated trust, possession and legal and equitable title to all assets of CCFOA within five days of request by the Receiver, including executing any documents, procuring the signature of any person or entity under their control, providing access to the property of CCFOA and any necessary information, and turning over any property of CCFOA.
- B. In the event that any person fails to deliver or transfer any asset or document, or otherwise fails to comply with any provision of this Order, the Receiver may file, ex parte, an affidavit of non-compliance regarding the failure. Upon filing of the affidavit, the Court may authorize, without additional process or demand, writs of possession or sequestration or other equitable writs requested by the Receiver. The writs

shall authorize and direct the United States Marshal or any sheriff or deputy sheriff of any county, or any other federal, state, or local law enforcement officer, to seize the asset, document, or other item covered by this Section and to deliver it to the Receiver.

#### V. PROVISION OF INFORMATION TO RECEIVER

IT IS FURTHER ORDERED that CCFOA shall provide to the Receiver, immediately upon request, the following:

- A. A list of all assets and property, including accounts, of CCFOA that are held in CCFOA's name, any name other than the name of CCFOA, or by any person or entity other than CCFOA; and
- B. A list of all agents, employees, officers, directors, managers, members, employees, agents, or those persons in active concert and participation with CCFOA, who have been associated with or done business with CCFOA.

#### VI. PROHIBITION ON INTERFERENCE WITH THE RECEIVER

IT IS FURTHER ORDERED that CCFOA and its representatives, whether acting directly or through any entity, corporation, subsidiary, division, director, manager, member, employee, agent, affiliate, independent contractor, attorney, accountant, financial advisor, or other device, except as provided herein, as stipulated by the parties, or as directed by further order of the Court, are hereby restrained and enjoined from:

- A. Interfering with the Receiver's efforts to manage, or take custody, control, or possession of, the assets or documents subject to this receivership;
  - B. Transacting any of the business of CCFOA;
- C. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any assets owned, controlled, or in the possession or custody of, or in which an interest is held or claimed by, CCFOA or the Receiver; and
- D. Refusing to cooperate with the Receiver or the Receiver's duly authorized agents in the exercise of their duties or authority under any order of this Court.

#### VII. STAY OF ACTIONS AGAINST CCFOA

IT IS FURTHER ORDERED that, except by leave of this Court, during pendency of the receivership ordered herein, CCFOA, its representatives, and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of CCFOA, and all others acting for or on behalf of such persons, are hereby enjoined from taking action that would interfere with the exclusive jurisdiction of this Court over the assets or documents of CCFOA, including:

- A. Petitioning, or assisting in the filing of a petition, that would cause CCFOA to be placed in bankruptcy;
- B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against CCFOA, including the issuance or employment of process against CCFOA, except that such actions may be commenced if necessary to toll any applicable statute of limitations;
- C. Filing or enforcing any lien on any asset of CCFOA, taking or attempting to take possession, custody, or control of any asset of CCFOA, or attempting to foreclose, forfeit, alter, or terminate any interest in any asset of CCFOA, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise; and
- D. Initiating any other process or proceeding that would interfere with the Receiver's efforts to manage or take custody, control, or possession of the assets or documents subject to this receivership.

**PROVIDED THAT**, this Order does not stay: (i) the commencement or continuation of a criminal action or proceeding; (ii) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (iii) the enforcement of a judgment, other than a monetary judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

#### VIII. RECEIVER'S BOND

IT IS FURTHER ORDERED that the Receiver shall file with the Clerk of this

Court a bond in the sum of \$\_\_\_\_\_\_ with sureties to be approved by the Court,

conditioned that the Receiver will well and truly perform the duties of the office and

abide by and perform all acts the Court directs. 28 U.S.C. § 754.

#### IX. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties undertaken pursuant to this Order and for the cost of actual out-of-pocket expenses incurred. The Receiver's compensation and the compensation of any persons hired by the Receiver are to be paid solely from the assets of CCFOA and any proceeds from the liquidation of CCFOA, and such payments shall have priority over all other distributions except for any transfer fees, recording fees, or other payments owed through the transfer of CCFOA's assets. The Receiver shall file with the Court and serve on the parties a request for the payment of reasonable compensation at the time of the filing of periodic reports and no less than every 60 days. The Receiver shall not increase the fees or rates used as the basis for such fee applications without prior approval of Plaintiffs and the Court. CCFOA shall have no right to object to the Receiver's fees or compensation. Absent a violation of this Order that causes the Receiver to incur fees or expenses, CCFOA shall not be liable for the Receiver's fees or expenses.

#### X. RECEIVER REPORTS

IT IS FURTHER ORDERED that the Receiver shall periodically file with the Court, no less than every 60 days, a Receivership Report, under oath, accurately identifying any and all revenues received and expenditures made, including adequately detailed information concerning income, expenses, payables, and receivables. These

periodic filings shall be served by the Receiver on Plaintiffs and CCFOA, and their respective counsel.

#### XI. TERMINATION OF RECEIVERSHIP

IT IS FURTHER ORDERED that, upon the final transfer of all funds to the STCO Fund and the dissolution of CCFOA, the duties of the Receiver shall terminate. The Receiver shall file a final application for fees, complete liquidation, and terminate his or her service within 360 days of the entry of this Order, unless good cause is shown to extend the receivership beyond 360 days. At the termination of the Receiver's duties, the Receiver shall transfer any unliquidated assets of CCFOA to the STCO Fund.

#### SO STIPULATED AND AGREED:

April 13,, 2015

FOR DEFENDANTS ROSE PERKINS AND CHILDREN'S CANCER FUND OF AMERICA, INC.:

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Attorneys for Rose Perkins and
Children's Cancer Fund of America, Inc.

April 10, 2015

FOR DEFENDANTS ROSE PERKINS AND CHILDREN'S CANCER FUND OF AMERICA INC.:

Rose Perkins

On behalf of herself, individually, and in her capacity as an officer of Children's Cancer Fund of America, Inc.

STIPULATION RE ORDER APPOINTING RECEIVER OVER CCFOA Page 13 of 15

FOR PLAINTIFF FEDERAL TRADE COMMISSION:

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> STIPULATION RE: ORDER APPOINTING RECEIVER OVER CCFOA Page 15.2 of 15

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	Signed May 5, 2015	
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STIPULATION RE: ORDER APPOINTING RECEIVER OVER CCFOA Page 15.3 of 15

FOR THE STATE OF ARKANSAS Kevin Wells (AR Bar # 2007213)\* Assistant Attorney General Office of Attorney General Leslie Rutledge 323 Center Street, Suite 500 Little Rock, Arkansas 72201 kevin.wells@arkansasag.gov Telephone: (501) 682-8063 \*Application for pro hac vice pending Attorney for Plaintiff State of Arkansas

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11	Attorney for Plaintiff State of California
12	Signed May 4, 2015
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	PETER U	
1		FOR THE COLORADO SECRETARY OF STATE
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10		Signed
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22		Attorney for Plaintiff Colorado Attorney General
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STIPULATION RE: ORDER APPOINTING RECEIVER OVER CCFOA Page 15.6 of 15

FOR THE STATE OF CONNECTICUT
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## FOR THE STATE OF DELAWARE

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Attorneys for Plaintiff State of Delaware

Signed April 10, 2015

FOR THE STATE OF FLORIDA

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Attorney for Plaintiff State of Florida

Signed April 9th, 2015

FOR THE STATE OF GEORGI By: Daniel S. Walsh Georgia Bar # 735040\* Senior Assistant Attorney General Office of Attorney General Sam Olens Department of Law State of Georgia Atlanta, Georgia 30306 dwalsh@law.ga.gov Telephone: (404) 657-2204 \*Application for pro hac vice pending Attorney for Plaintiff State of Georgia and Plaintiff Secretary of State for the State of Georgia Signed May 8, 2015 

FOR THE STATE OF HAWAII By: Deputy Attorney General Attorney General Douglas S. Chin Department of the Attorney General 425 Queen Street Honolulu, Hawaii 96813 Jodi.K.Yi@Hawaii.gov Telephone: (808)586-1480 \*Application for pro hac vice pending Attorney for Plaintiff State of Hawaii Signed April 28, 2015 

	II		
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12			Signed <u>march</u> 31, 2015
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STIPULATION RE: ORDER APPOINTING RECEIVER OVER CCFOA Page 15.12 of 15

1 FOR THE PEOPLE OF THE STATE OF ILLINOIS 2 By: 3 Assistant Attorney General (IL Bar # 6269821)\* 4 Assistant Bureau Chief Charitable Trust Bureau 5 Office of Illinois Attorney General Lisa Madigan 100 West Randolph Street, 11th Floor 6 Chicago, Illinois 60601 7 bgoldberg@atg.state.il.us Telephone Charitable Trust Bureau: (312) 814-2595 8 Therese Harris, Bureau Chief 9 Charitable Trust Bureau 10 Office of Illinois Attorney General Lisa Madigan 100 West Randolph Street, 11th Floor 11 Chicago, Illinois 60601 tharris@atg.state.il.us 12 Telephone Charitable Trust Bureau: (312) 814-2595 13 \*Application for pro hac vice pending 14 Attorney for Plaintiff State of Illinois 15 Signed April 2, 2015 16 17 18 19 20 21 22 23 24 25 26 27 28

FOR THE STATE OF INDIANA Richard M. Bramer (IN Bar # 15989-77) Director, Consumer Protection Division Office of Attorney General Gregory F. Zoeller 302 West Washington Street IGCS Fifth Floor Indianapolis, Indiana 46204 richard.bramer@atg.in.gov Telephone: (317) 232-1008 \*Application for pro hac vice pending Attorney for Plaintiff State of Indiana Signed April 9, 2015 

FOR THE STATE OF IOWA By: Steve St. Clair AT0007441\* **Assistant Attorney General** Office of Attorney General Tom Miller Hoover Building, 2<sup>nd</sup> Floor 1305 East Walnut Des Moines, Iowa 50319 steve.stclair@iowa.gov Telephone: (515) 281-3731 \*Application for pro hac vice pending Attorney for Plaintiff State of Iowa Signed / / / / 2015 

FOR THE STATE OF KANSAS

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Attorney for Plaintiff State of Kansas

Signed April 08, 2015

FOR THE COMMONWEALTH OF KENTUCKY By: Assistant Attorney General Office of Attorney General Jack Conway 1024 Capital Center Drive Suite 200 Frankfort, Kentucky 40601 Leah.boggs@ky.gov Telephone: (502) 696-5389 \*Application for pro hac vice pending Attorney for Plaintiff State of Kentucky 

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FOR THE STATE OF LOUISIANA Assitant Attorney General Office of Attorney General James D. "Buddy" Caldwell 1885 N. Third Street Baton Rouge, Louisiana 70802 gitsc@ag.state.la.us Telephone: (225) 326-6400 \*Application for pro hac vice pending Attorney for Plaintiff State of Louisiana Signed May 7, 2015 

FOR THE STATE OF MAINE By: Carolyn A. Silsby, ME Bar # 3030\* Assistant Attorney General Office of Attorney General Janet T. Mills 6 State House Station Augusta, Maine 04333-0006 Carolyn.silsby@maine.gov Telephone: (207) 626-8829 \*Application for pro hac vice pending Attorney for Plaintiff State of Maine Signed <u>March 31</u>, 2015 

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\*Application for *pro hac vice* pending Attorney for Plaintiff State of Maryland and Secretary of State John Wobensmith Signed May 14, 2015

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FOR THE STATE OF MINNESOTA By: Elizabeth Kremenak (MN Bar # 0390461)\* Assistant Attorney General Office of Attorney General Lori Swanson 445 Minnesota Street, Suite 1200 St. Paul, MN 55101-2130 elizabeth.kremenak@ag.state.mn.us Telephone: (651) 757-1423 \*Application for pro hac vice pending Attorney for Plaintiff State of Minnesota 'Signed Much 31, 2015 

FOR THE STATE OF MISSISSIPPI Tanya G. Webber (MS Bar #99405)\* Assistant Secretary of State/Charities Division Mississippi Secretary of State Post Office Box 136 Jackson, Mississippi 39205-0136 Tanya.webber@sos.ms.gov Telephone: 601-359-6742 \*Application for pro hac vice pending Attorney for Plaintiff State of Mississippi Signed Hay 8, 2015 

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13		Attorney for Plaintiff State of Missouri Signed May , 2015
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FOR THE STATE OF MONTANA Kelley L. Hubbard, MT Bar No. 9604\* Assistant Attorney General Office of Attorney General Timothy C. Fox 555 Fuller Avenue P. O. Box 200151 Helena, MT 59620-0151 KHubbard@mt.gov Telephone: (406) 444-2026 \*Application for pro hac vice pending Attorney for Plaintiff State of Montana Signed <u>April 10</u>, 2015 

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FOR THE SPATE OF NEW HAMPSHIRE Thomas J. Donovan (NH Bar 664)\*
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1 FOR THE STATE OF NEW JERSEY 2 JOHN J. HOFFMAN ACTING ATTORNEY GENERAL OF NEW JERSEY 3 4 5 By: Erin M. Greene (NJ Bar #014512010) \* 6 Deputy Attorney General 7 8 State of New Jersey Office of Attorney General 9 Department of Law and Public Safety Division of Law 10 124 Halsey Street - 5th Floor 11 P.O. Box 45029 Newark, New Jersey 07101 12 erin.greene@dol.lps.state.nj.us 13 Telephone: (973) 648-4846 14 \*Application for pro hac vice pending 15 Attorney for Plaintiff State of New Jersey 16 Signed May 1, 2015 17 18 19 20 21 22 23 24 25 26 27

FOR THE STATE OF NEW YORK ERIC T. SCHNEIDERMAN Attorney General of the State of New York By: Yael Fuchs (NY Bar # 4542684)\* **Assistant Attorney General** Charities Bureau 120 Broadway, 3<sup>rd</sup> Floor New York, New York 10271 Telephone: (212) 416-8401 yael.fuchs@ag.ny.gov \*Application for pro hac vice pending Attorney for Plaintiff State of New York Signed May 6, 2015 

	<u> </u>
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23	Attorney for Plaintiff State of North Carolina
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FOR THE STATE OF NORTH DAKOTA By: Michael C. Thompson (ND Bar #06550)\* Assistant Attorney General Office of Attorney General Wayne Stenehjen Consumer Protection Division Gateway Professional Center 1050 E. Interstate Ave Ste 200 Bismarck, ND 58503-5574 mcthompson@nd.gov Telephone: (701) 328-5570 \*Application for pro hac vice pending Attorney for Plaintiff State of North Dakota Signed April 8, 2015 

FOR THE STATE OF OHIO By: Yvonne Tertel (OH Bar # 0019033)\* Principal Assistant Attorney General Office of Attorney General Mike DeWine Charitable Law Section 150 E. Gay St., 23<sup>rd</sup> floor Columbus, Ohio 43215 yvonne.tertel@ohioattorneygeneral.gov Telephone: Phone (614) 466-3181 \*Application for pro hac vice pending Attorney for Plaintiff State of Ohio Signed May 6, 2015 

FOR THE STATE OF OKLAHOMA E. SCOTT PRUITT OKLAHOMA ATTORNEY GENERAL Malisa McPherson (OK Bar #32070)\* Assistant Attorney General 313 N.E. 21st Street Oklahoma City, Oklahoma 73105 Telephone: (405) 521-6926 Facsimile: (405) 522-0085 Malisa.McPherson@oag.ok.gov \*Application for pro hac vice pending Attorney for Plaintiff State of Oklahoma Signed May 12, 2015 

FOR THE STATE OF OREGON Heather L. Weigler, (OR Bar #0 Assistant Attorney General Office of Attorney General Ellen F. Rosenblum Oregon Department of Jutice 1515 SW 5<sup>th</sup> Ave., #410 Portland, Oregon 97201 Heather.l.weigler@state.or.us Telephone: (971) 673-1910 \*Application for pro hac vice pending Attorney for Plaintiff State of Oregon Signed May 5, 2015 

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5			First Assistant Attorney General of Texas
6			JAMES E. DAVIS
7			Deputy Assistant Attorney General for Civil
8			Litigation
9			TOMMY PRUD'HOMME
10	!		Chief, Consumer Protection
		By:	Im Whas teth
11		(	JENNIFER M ROSCETTI (TX Bar No. 24066685)*
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## FOR THE STATE OF UTAH

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Application for pro hac vice pending

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FOR THE COMMONWEALTH OF VIRGINIA Richard S. Schweiker, Jr. (VA Bar # Senior Assistant Attorney General Office of Attorney General Mark R. Herring Consumer Protection Section 900 East Main Street Richmond, Virginia 23219 rschweiker@oag.state.va.us Telephone: (804) 786-5643 \*Application for pro hac vice pending Attorney for Plaintiff State of Virginia Signed **April 27**, 2015 

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FOR THE STATE OF WISCONSIN BRAD D. SCHIMEL ATTORNEY GENERAL Francis X. Sullivar Assistant Attorney General Wisconsin State Bar no. 1030932\* Wisconsin Department of Justice Post Office Box 7857 Madison, Wisconsin 53707-7857 (608) 267-2222 (608) 267-8906 (Fax) sullivanfx@doj.state.wi.us \*Application for pro hac vice pending Attorney for Plaintiff State of Wisconsin 

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1 FOR THE DISTRICT OF COLUMBIA 2 KARL A. RACINE Attorney General for the District of Columbia 3 4 **ELIZABETH SARAH GERE Acting Deputy Attorney General** 5 **Public Interest Division** 6 BENNETT RUSHKOFF 7 Chief, Public Advocacy Section 8 9 By: ( 10 BRIAN R. CALDWELL (DC Bar # 979680)\* 11 **Assistant Attorney General** Office of Attorney General Karl A. Racine 12 441 Fourth Street, N.W., Suite # 650-S 13 Washington, D.C. 20001 brian.caldwell@dc.gov 14 Telephone: (202) 727-6211 15 \*Application for pro hac vice pending 16 17 Attorney for Plaintiff District of Columbia 18 Signed: May 7, 2015 19 20 21 22 23 24 25 26 27 28