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ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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FILED

APR 21 2009

Division of Consumer Affairs

By: James J. Savage
Assistant Attorney General
(973)877-1280

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

In the Matter of:

**SOUTH BRUNSWICK POLICE
ATHLETIC LEAGUE**

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: Administrative Action

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: I No. 100075

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: **CONSENT ORDER**
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WHEREAS this matter having been opened by the New Jersey Division of Consumer Affairs, Office of Consumer Protection (“Division”), as an investigation in order to ascertain whether there were violations of the New Jersey Charities Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq. (“CRIA”), and the Regulations Governing Charitable Fundraising, N.J.A.C. 13:48-1.1 et seq. (“Regulations”), have been or are being committed by South Brunswick Police Athletic League, PO Box 84 Kendall Park, NJ 08824, as well as the, trustees officers, directors, managers, employees, representatives and agents of South Brunswick Police Athletic League (“Respondent”);

WHEREAS the Division and respondent (collectively, "Parties") have reached an amicable agreement thereby resolving the issues in controversy and concluding this matter without the need for further action, and respondent having voluntarily cooperated with the investigation and consented to the entry of the within order ("Consent Order") and for good cause shown,

IT IS on this 21st
8 day of APRIL, 2009 **ORDERED AND AGREED** as follows:

1. EFFECTIVE DATE

1.1 This Consent Order shall be effective on the date that it is filed with the Division.

2. BUSINESS PRACTICES AND INJUNCTIVE RELIEF

2.1 Respondent, its principals, officers, agents, representatives and employees shall not engage in any unregistered or deceptive acts or practices in the conduct of soliciting donations in the State of New Jersey and shall comply with such state laws, rules and regulations as now constituted or as may hereafter be amended, including but not limited to, the CRIA.

2.2 Respondent shall cease and desist from engaging in the following:

a. Failing to file the required annual registration renewals and appropriate fees within six months of the Respondent's fiscal year end in accordance with N.J.S.A. 45:17A-23.

2.3 Respondent represents that it has filed the required annual registration renewals and appropriate fees for fiscal years ending December 31, 2001, December 31, 2002, December 31, 2003, December 31, 2004, December 31, 2005, December 31, 2006 and December 31, 2007.

2.4 Respondent shall file the required annual registration renewals and appropriate fees within six months of the Respondent's fiscal year end in accordance with N.J.S.A. 45:17A-23.

3. SETTLEMENT PAYMENT

3.1. Respondent shall be liable to pay a penalty of Six Thousand and 00/100 Dollars (\$6,000.00) pursuant to N.J.S.A. 56:8-13. Of this amount, Three Thousand and 00/100 Dollars (\$3,000.00) shall be suspended for a period of three (3) years from the date hereof and shall, at the expiration of said three (3) year period, automatically be vacated provided Respondent:

- a. obeys the restraints and conditions set forth in this Order; and
- b. does not violate the Charities Registration and Investigation Act, the regulations promulgated pursuant thereto and/or any other consumer protection statute.

3.2 In the event that Respondent fails to comply with the foregoing provisions, the entire suspended amount of Three Thousand and 00/100 Dollars (\$3,000.00) shall be due and immediately payable upon notice by the Division.

3.3 The aforestated penalty amount shall be submitted together with this Consent Order fully executed by Respondent.

3.4 All payments in satisfaction of the Settlement Payment shall be made by certified or cashier's check made payable to "New Jersey Division of Consumer Affairs" and shall be forwarded to the undersigned:

State of New Jersey
Department of Law and Public Safety
Division of Consumer Affairs / CMT
124 Halsey Street- 7th Floor
Newark, New Jersey 07101

4. GENERAL PROVISIONS

4.1 Nothing contained in this Consent Order shall be construed to limit or affect the rights of any persons or entities who are not parties to this Consent Order with respect to any of the matters contained herein.

4.2 Nothing contained herein shall in any manner or fashion be construed to limit or affect any position that the parties may take in any future or pending action not specifically encompassed herein.

4.3 If any provision of this Consent Order or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Consent Order or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and each provision of this Consent Order shall be valid and enforced to the fullest extent permitted by law.

4.4 This Consent Order resolves all claims and causes of action against Respondent for violations of the CRIA and the regulations promulgated pursuant thereto, which were known by the Division's Office of Consumer Protection through January 23, 2009.

4.5 The parties represent that an authorized representative of each has signed this Consent Order with full knowledge, understanding and acceptance of its terms and that this person has done so with the authority to legally bind the respective parties.

4.6 This Consent Order constitutes the entire agreement between the parties hereto and shall bind the parties hereto and their representatives, officers, directors, agents, employees, successors and assigns.

4.7 Respondent shall not represent or imply that any advertising, procedure or other act or practice hereinafter used or engaged in by Respondent has been required or approved, in whole or part, by the Attorney General or the Division of Consumer Affairs or any of the State's agencies or agents.

4.8 The parties acknowledge that for purposes of enforcement of this Consent Order, New Jersey law shall govern the terms and provisions herein.

4.9 The Division has advised the Respondent to seek the advice of an attorney prior to entering into this agreement.

4.10 This Consent Order constitutes a final agency action and shall be effective upon filing.

4.11 Respondent acknowledges that this Consent Order is a public document subject to the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 to -13.

5. RELEASE

5.1 In consideration of the injunctive relief, payments, undertakings, mutual promises and obligations provided for in this Consent Order and conditioned on and paying the Settlement Amount as specified in Section 3, the Division hereby agrees to release Respondent from any and all civil claims or Consumer related administrative claims, to the extent permitted by State law, which the Division could have brought prior to the Effective Date against Respondent for violations of the CRIA and the Regulations, as well as the matters specifically addressed in this Consent Order.

5.2 Notwithstanding any term of this Consent Order, the following do not comprise Released Claims: (a) private rights of action; (b) actions to enforce this Consent Order; and (c) any claims against Respondent by any other agency or subdivision of the State.

6. PENALTIES FOR FAILURE TO COMPLY

6.1 The Attorney General (or designated representative) shall have the authority to enforce the injunctive provisions of this Consent Order or to seek sanctions for violations hereof or both.

6.2 The Parties agree that any future violations of the injunctive provisions of this Consent Order, the CRIA, and/or the Regulations shall constitute a second or succeeding violation pursuant to N.J.S.A. 56:8-13 and that Respondent may be liable for enhanced civil penalties.

7. COMPLIANCE WITH ALL LAWS

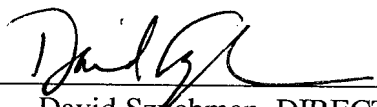
7.1 Except as provided in this Consent Order, no provision herein shall be construed as:

- a. Relieving Respondent of their obligation to comply with all State and Federal laws, regulations or rules, as now constituted or as may hereafter be amended, or as granting permission to engage in any acts or practices prohibited by any such laws, regulations or rules; or
- b. Limiting or expanding any right the Division may otherwise have to obtain information, documents or testimony from Respondent pursuant to any State or Federal law, regulation or rule, as now constituted or as may hereafter be amended, or limiting or expanding any right Respondent may otherwise have pursuant to any State or Federal law, regulation or rule,

to oppose any process employed by the Division to obtain such information, documents or testimony.

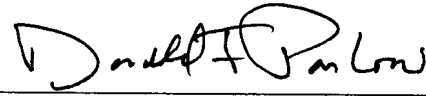
THE PARTIES CONSENT TO THE FORM, CONTENT AND ENTRY OF THIS CONSENT ORDER ON THE DATES UNDER THEIR RESPECTIVE SIGNATURES.

**ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY**

By: 
David Szachman, DIRECTOR
DIVISION OF CONSUMER AFFAIRS

Dated: April 21, 2009

**SOUTH BRUNSWICK POLICE ATHLETIC LEAGUE
Respondent**

By: 
Signature
DONALD F. PARLOW
Print Name
TREASURER
Title

Dated: April 8, 2009