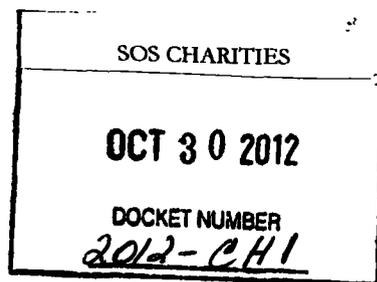


SECRETARY OF STATE  
STATE OF GEORGIA



IN THE MATTER OF:

Americans Helping Americans, LLC

Respondent.

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\*

ENCH -120044

**CONSENT ORDER**

Pursuant to the authority of the Georgia Charitable Solicitations Act of 1988, as amended, O.C.G.A. § 43-17-1 *et seq.* (hereinafter “the Act”), and 590-9-1 *et seq.* of the Rules and Regulations of the State of Georgia (hereinafter “the Rule” or “the Rules”), the Secretary of State of the State of Georgia (hereinafter “the Secretary”), has caused an investigation to be made into the acts and practices of Americans Helping Americans, LLC (hereinafter “Respondent”). As a result of that investigation, the Secretary makes the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1.

At all times relevant to the matters asserted herein, Respondent was not registered with the Georgia Secretary of State as a charitable organization.

2.

Respondent registered as a limited liability company with the Georgia Secretary of State, Corporations Division, on December 4, 2011, and maintained a principal office address of 2A Withalacoochee Road, Valdosta, GA 31601. The registered agent was Arthur Thomas Downs.

**3.**

During the period beginning in or about December 2011, and ending in or about February 2012, Respondent, while acting as a charitable organization, solicited and accepted charitable contributions from residents of the State of Georgia through its website Americans Helping Americans. The website advertised that Respondent was working with Hopes and Dreams Inc., a non-profit organization dedicated to assisting military veterans and their families. Donations were to provide help to veterans in desperate need and donors were to be entered in a drawing to win a motor home.

**4.**

On or about February 6, 2012, Christian Relief Services Charities sent a letter to Respondent asking it to cease and desist from using their trademarked name, AMERICANS HELPING AMERICANS.

**5.**

Once Hopes and Dreams Inc. discovered that Respondent was not the legitimate Americans Helping Americans, Inc., it immediately ceased its participation in the aforementioned fund raising event and asked Respondent to stop using its name in connection with the fundraising.

**6.**

O.C.G.A. § 43-17-12 (c)(2) states, "It shall be unlawful for any person in connection with the planning, conduct, or execution of any charitable solicitation or charitable sales promotion, directly or indirectly:

(1) To utilize any representation that implies the contribution is for or on behalf of a charitable organization or to utilize any emblem, device, or printed matter belonging to or associated with a charitable organization, without first being authorized in writing to do so by the charitable organization;

(2) To utilize a name, symbol, or statement so closely related or similar to that used by another charitable organization that the use thereof would tend to confuse or mislead a solicited person;

(3) To misrepresent to or mislead anyone in any manner to believe that any other person sponsors, endorses, or approves such solicitation or charitable sales promotion when such other person has not given consent in writing to the use of his or her name for these purposes.

**7.**

On February 22, 2012, Respondent received a Certificate of Voluntary Termination from the Georgia Secretary of State, Corporations Division.

**8.**

While in operation, Respondent received \$140 in donations. Respondent did not use the money for a charitable purpose nor did it return the money to the donors.

**9.**

Respondent admits to the above-styled Findings of Fact and waives any further findings of fact not already contained in this Order.

**CONCLUSIONS OF LAW**

**10.**

Respondent violated O.C.G.A. §§ 43-17-5(a) and 43-17-12(c) by soliciting or accepting charitable contributions, from persons in Georgia, while Respondent was unregistered and by using a name that too closely resembled that of another organization. Said violations form a sufficient basis for the Secretary of State to impose sanctions against Respondent pursuant to O.C.G.A. § 43-17-13.

**WHEREFORE**, by the authority vested in me as the Secretary of State of the State of Georgia, **IT IS HEREBY ORDERED** that Respondent **CEASE AND DESIST** from violations of the Georgia Charitable Solicitations Act of 1988, as amended;

The entry of this Order is deemed to be in the public interest and shall not be deemed to constitute findings or conclusions relating to other persons and shall not be deemed to be a waiver or estoppel on the part of the Secretary from proceeding in individual actions against any person who may have violated the Act or on the basis of any transactions not known to the Secretary at the time this Order was issued.

**SO ORDERED**, this 29<sup>th</sup> day of October, 2012.

**BRIAN P. KEMP  
SECRETARY OF STATE**

By:



**Eric Lacefield  
Director of Registration  
Charities Division**