

**SECRETARY OF STATE  
CHARITIES DIVISION  
STATE OF GEORGIA**

OCT 29 2013

DOCKET NUMBER 2013-CH10

**IN THE MATTER OF:**

**XENTEL, INC.**

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**Registration No.: PS005253**

**Applicant.**

**CONSENT ORDER FOR CONDITIONAL REGISTRATION**

Pursuant to O.C.G.A. § 43-17-11, the Georgia Secretary of State has conducted an investigation into the activities of Xentel, Inc. (hereinafter known as “Applicant”) to determine whether any of its activities violated the Georgia Charitable Solicitations Act of 1988, as amended, O.C.G.A. §43-17-1 *et seq.* (hereinafter the “Act”). The Secretary of State (hereinafter “Secretary”) and Applicant desire to reach a final settlement of the matters arising from the Secretary’s investigation, and, accordingly, have agreed to the terms set forth in this Consent Order. As a result of the investigation, the Secretary makes the following findings of fact and conclusions of law:

**I. FINDINGS OF FACT**

**1.**

Applicant is a paid solicitor as defined in O.C.G.A. § 43-17-2(12)(A), and is subject to the provisions therein and to the Rules and Regulations promulgated thereunder.

**2.**

Applicant maintains its principal business address at 700 West Virginia Street, Milwaukee, Wisconsin 53204.

**3.**

On or about August 12, 1999, Applicant became registered with the Secretary as a paid solicitor, and it has renewed its registration continuously. On or about December 31, 2012, said registration expired.

**4.**

On or about February 20, 2013, Applicant submitted an application for renewal (“Application”) of its registration as a paid solicitor.

**5.**

Question 12 of Application required Applicant to disclose whether “any local, state or federal government agency:

- (b) ever found the applicant or executive officer to have been involved in a violation of a fundraising law?
- (d) in the past ten years entered an order against the applicant or a executive officer in connection with any fundraising statute or deceptive practices?”

**6.**

Applicant answered in the affirmative for both questions and disclosed the following documents related to violations of charitable solicitations within the past five years:

1. 2012 Agreed Order from State of Tennessee Department of State Administrative Procedures Division, and
2. 2010 Consent Agreement and Order from the Commonwealth of

Pennsylvania, Department of State.

7.

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

## II. CONCLUSIONS OF LAW

8.

Under O.C.G.A. § 43-17-7(a), “[t]he Secretary of State, by order, may deny, suspend, or revoke a registration, limit the fundraising activities that an applicant or registered person may perform in this state, bar an applicant or registered person from association with a paid solicitor or charitable organization, or bar a person who is a partner, officer, director, or employee of, or a member of a limited liability company which is, an applicant or registered person from employment with a paid solicitor or charitable organization if the Secretary of State finds that the order is in the public interest and that the applicant, registered person, or such other person:

(3) Is the subject of an adjudication or determination, after notice and opportunity for hearing, within the last five years by a state or federal agency or a court of competent jurisdiction that the person has violated the charitable organizations regulatory act or the unfair and deceptive acts and practices law of any state, but only if the acts constituting the violation of that state’s law would constitute a violation of this chapter had the acts occurred in this state;”

9.

The Orders referred to in paragraph 6 above constitutes grounds for disciplinary action by the Secretary pursuant to O.C.G.A. § 43-17-7(a).

### **III. ORDER**

#### **10.**

The Secretary has agreed to approve Applicant's application for renewal of its license to operate as a paid solicitor pursuant to the following conditions:

- a) Applicant shall report to the Secretary, in writing, any Order issued by a state or federal board, state or federal agency, or state or federal court involving any violations of state or federal laws and rules related to charitable solicitations or unfair and deceptive practices. Said documentation shall be submitted to the Secretary within ten days of such occurrence.
- b) Applicant agrees to comply with the appropriate state and federal charitable solicitation laws and rules during the period of this conditional registration and any subsequent registration with the Secretary.

#### **11.**

The conditions described in paragraph 10 shall remain in effect for a period of twenty-four (24) months from the effective date of this Consent Order for Conditional Registration.

#### **12.**

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 or transactions 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, 2013.

**BRIAN KEMP  
SECRETARY OF STATE  
STATE OF GEORGIA**

**BY:**

*Shawnzia A. Thomas*

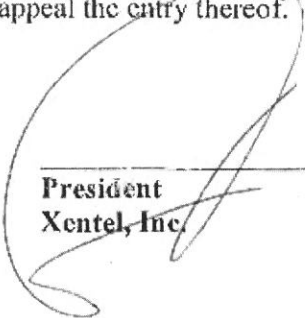
**SHAWNZIA A. THOMAS  
Director of Registration  
Charities Division**

**[Additional signatures on following page]**

**CONSENT AND WAIVER OF HEARING**

Applicant hereby agrees to the entry of the foregoing Consent Order for Conditional Registration and the terms and conditions set forth herein.

Applicant does hereby waive all rights to a hearing regarding this matter and any right to appeal the entry thereof.



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**President  
Xentel, Inc.**

Oct 25 / 2013  
**Date**