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SNOHOMISH CO. WASH

STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT

In Re:

WRESTLING RHINOS,

Respondent.

NO. 07 2 02943 3

ORDER APPROVING
ASSURANCE OF
DISCONTINUANCE PER
RCW 19.86.100

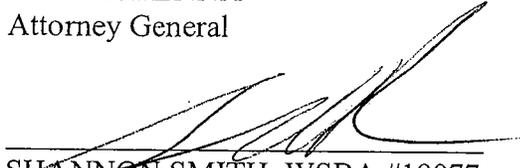
Pursuant to RCW 19.86.100, which authorizes the Attorney General to accept an assurance of discontinuance in the enforcement of the Consumer Protection Act, the Court hereby approves and orders entry of the Assurance of Discontinuance in this matter.

DATED this _____ day of MAR - 9 2007.

JUDGE DAVID A. KURTZ

JUDGE/COURT COMMISSIONER

Presented By:
ROB MCKENNA
Attorney General


SHANNON SMITH, WSBA #19077
Senior Counsel
Attorneys for State of Washington

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**STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT**

In re:

WRESTLING RHINOS,

Respondent.

NO. **07 2 02943 3**

ASSURANCE OF
DISCONTINUANCE

The State of Washington, by and through its attorneys, Robert M. McKenna, Attorney General, and Shannon E. Smith, Senior Counsel, files this Assurance of Discontinuance pursuant to RCW 19.86.100.

I. INVESTIGATION

1.1 The Attorney General initiated an investigation into the charitable registration status of the Respondent, Wrestling Rhinos.

1.2 Wrestling Rhinos solicited and accepted charitable contributions from the public. In its solicitation material, Wrestling Rhinos stated that it would use the money it collected specifically for club wrestler tournaments. Wrestling Rhinos was not registered as a charitable organization with the Washington Secretary of State at the time it solicited charitable contributions.

1.3 The Attorney General deems the following to constitute unfair or deceptive acts or practices and unfair methods of competition in violation of RCW 19.86.020 and RCW 19.09:

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1 a) Soliciting charitable contributions from the public without being registered with
2 the Washington Secretary of State as a charitable organization.

3 b) Collecting charitable contributions from the public and failing to use those
4 donations solely for the purposes stated in the solicitations.

5 **II. ASSURANCE OF DISCONTINUANCE**

6 **2.1** Respondent will not engage in any practices described in section 1.3.

7 **2.2** Respondent agrees to refund any donations made by consumers who request a
8 refund in writing.

9 **III. COSTS**

10 **3.1** The Respondent agrees to pay the costs and reasonable attorney's fees incurred by
11 the Attorney General in pursuing this matter in the amount of \$1,000.00, payable in full upon
12 signing this Assurance of Discontinuance. Payment shall be made by valid cashier's check, paid
13 to the order of "Attorney General—State of Washington." Respondent shall send the signed
14 Assurance of Discontinuance and the cashier's check to the Office of the Attorney General,
15 Attention: Donnelle Brooke, Consumer Protection Division, 800 Fifth Avenue, Suite 2000,
16 Seattle, Washington, 98104-3188.

17 **IV. ADDITIONAL PROVISIONS**

18 **4.1** This Assurance of Discontinuance shall not be considered an admission of
19 violation of the Consumer Protection Act or the Charitable Solicitations Act for any purposes, but
20 failure to comply with this Assurance of Discontinuance shall be *prima facie* evidence of
21 violations of RCW 19.86.020, thereby placing upon the violator, Wrestling Rhinos, and its
22 officers, directors, and principals, the burden of defending against imposition by the Court of
23 damages, injunctions, restitution, and civil penalties of up to \$2000.00 per violation and costs,
24 including reasonable attorney's fees, including the costs and attorney's fees incurred by the
25 Attorney General in the foregoing investigation and in preparing this Assurance of
26 Discontinuance.

