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DEPARTMENT OF  
JUDICIAL ADMINISTRATION  
KING COUNTY, WASHINGTON

STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
  
Plaintiff,  
  
v.  
  
COMMUNITY SUPPORT, INC.,  
  
Defendant.

NO. **09-2-20597-388A**  
  
COMPLAINT FOR INJUNCTIVE AND  
OTHER RELIEF UNDER THE  
CONSUMER PROTECTION ACT AND  
CHARITABLE SOLICITATIONS ACT

The Plaintiff, State of Washington, by and through its attorneys Robert M. McKenna, Attorney General, and Shannon Smith, Assistant Attorney General, brings this action against the Defendant named herein. The State alleges the following on information and belief:

**I. INTRODUCTION**

1.1 The Plaintiff, State of Washington, brings this action pursuant to RCW 19.86.020, the Consumer Protection Act, and RCW 19.09, the Charitable Solicitations Act. Plaintiff seeks a permanent injunction, and other equitable relief, including civil penalties, and attorney's costs and fees, based on violations of the Consumer Protection Act and the Charitable Solicitations Act.

**II. PLAINTIFF**

2.1 The Plaintiff is the State of Washington ("State").

2.2 The Attorney General is authorized to commence this action pursuant to RCW 19.86.080 and RCW 19.86.140.

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**III. DEFENDANT**

3.1 Defendant Community Support, Inc., (her eafter "Community Support") is a Nevada corporation with its principal place of business at 312 E. Wisconsin Ave., Suite 408, Milwaukee, Wisconsin 53202.

3.2 Community Support is engaged in professional fundraising on behalf of charitable organizations, through telephone solicitations and mailings, and is a "professional fund-raiser" within the meaning of State Law.

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**IV. JURISDICTION AND VENUE**

4.1 The State files this Complaint and institutes these proceedings under RCW 19.86 and RCW 19.09.

4.2 The Defendant or their agents have engaged in the conduct set forth in this complaint in King County and elsewhere in the state of Washington.

4.3 Venue is proper in King County pursuant to RCW 4.12.020.

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**V. NATURE OF TRADE OR COMMERCE**

5.1 Defendant is now, and has been at all times relevant to this lawsuit, engaged in trade or commerce within the meaning of RCW 19.86.020 by engaging in professional fundraising on behalf of charitable organizations, through telephone solicitations and mailings, and is a "professional fund-raiser" within the meaning of RCW 19.09, the Charitable Solicitations Act.

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**VI. FACTS**

8.1 Community Support is a Nevada corporation with its principal place of business at 312 E. Wisconsin Ave., Milwaukee, Wisconsin 53202, and is engaged in professional solicitations and collection of charitable donations in Washington.

1 **VII. FACTUAL STATEMENTS COMMON TO ALL COUNTS**

2 7.1 Community Support was and is registered as a professional fundraiser under  
3 RCW 19.09, the Charitable Solicitations Act, in Washington during all times relevant to this  
4 action.

5 7.2 Plaintiff joined the relevant regulatory authorities of at least 30 other states,  
6 which upon shared information and belief had reason to investigate Community Support for  
7 multiple violations of the charitable solicitations laws of the various states.

8 7.3 On March 3, 2009, Plaintiff served Community Support with a Civil  
9 Investigative Demand in accordance with authority vested by RCW 19.86.110.

10 7.4 The Washington Civil Investigative Demand was filed as part of the multi-state  
11 investigation of Community Support. The states each issued an individual Civil Investigative  
12 Demand or a comparable request to Community Support on or about February 25, 2009.

13 7.5 In response, and as part of a coordinated effort, the multi-state group allowed  
14 Community Support to respond once to the group rather than to 31 separate demands.

15 7.6 Community Support provided approximately 30% of the information  
16 demanded.

17 **VIII. VIOLATIONS OF THE CHARITABLE SOLICITATIONS ACT**

18 8.2 Community Support regularly conducted telephone solicitation campaigns by  
19 having its employees call Washingtonians asking for contributions for the various charities it  
20 contracts with. Those charities include the American Breast Cancer Foundation, Inc.,  
21 American Foundation for Disabled Children, Association for Firefighters and Paramedics,  
22 Cancer Center for Detection and Prevention, The Committee for Missing Children, Disabled  
23 Police Officers Counseling Center, Disabled Police Officers of America, Disabled and Retired  
24 Police Officers Education Fund, Firefighters Charitable Foundation, Firefighters Support  
25 Foundation, Junior Police Academy, Kids Wish Network, Law Enforcement Alliance of  
26 America, The Medical Support Association, Inc., National Vietnam Veteran's Association,

1 Reserve Police Officer's Association, Police Officer's Safety Association, Police Protective  
2 Fund, US Navy Veterans Association, United States Deputy Sheriff's Association, Inc., and  
3 the Woman to Woman Breast Cancer Foundation.

4 8.3 All of the charities listed in Paragraph 8.2 contract with Community Support  
5 services as a professional fundraiser.

6 8.4 The contracts provide that the charities will receive between 15% and 8% of the  
7 total donations collected by Community Support as enumerated in the individual contracts.  
8 The remaining percentages, between 85% and 92% are paid to Community Support for  
9 fundraising services.

10 8.5 Community Support does not now nor has it ever had a physical presence in  
11 Washington.

12 8.6 Not all of the charities named in Paragraph 8.2 have or have ever had a physical  
13 presence in Washington.

14 8.7 While making solicitations for contributions, Community Support's paid  
15 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
16 that the contributions would be used for local benefit.

17 8.8 While making solicitations for contributions, Community Support's paid  
18 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
19 that 100% of the donations would be used for charitable programs.

20 8.9 While making solicitations for contributions, Community Support's paid  
21 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
22 that the solicitors were themselves members or retired members of police, firefighter or veteran  
23 occupations.

24 8.10 While making solicitations for contributions, Community Support solicitors,  
25 both explicitly and implicitly, represented to Washington donors that the donor had previously  
26 contributed to the stated cause when this was not supported by fact.

1           8.11 While making solicitations for contributions, Community Support's paid  
2 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
3 that the calls were placed from within Washington, implying a local relationship which did not  
4 exist.

5           8.12 While making solicitations for contributions, Community Support's paid  
6 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
7 that a substantial portion of the donations would go to programs described by the solicitor  
8 which did not exist.

9           8.13 While making solicitations for contributions, Community Support's paid  
10 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
11 that it represented or was itself a local charity by using a pass-through Washington post office  
12 box or drop box to collect donations.

13           8.14 While making solicitations for contributions, Community Support's paid  
14 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
15 that they had pledged donations by sending a confirmation 'receipt' and collection documents  
16 which intentionally closely resembled a bill for debt collection when no such pledges had been  
17 made.

18           8.15 While making solicitations for contributions, Community Support's paid  
19 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
20 that the donors were required by law to remit pledged donations by sending a confirmation  
21 'receipt' and collection documents which intentionally closely resemble a bill for debt  
22 collection when no such legal requirement exists.

23           8.16 While making solicitations for contributions, Community Support's paid  
24 telemarketers and solicitors, both explicitly and implicitly, represented to Washington donors  
25 that their real or fabricated pledge was a collectible debt and made numerous and harassing  
26 collection calls to those donors.

1 thousand dollars (\$2000) per violation against the Defendant for each and every violation of  
2 RCW 19.86.020 caused by the conduct complained of herein.

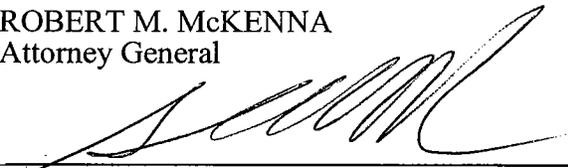
3 9.6 That the Court make such orders pursuant to RCW 19.86.080 as it deems  
4 appropriate to provide for restitution to consumers of money or property acquired by the  
5 Defendant as a result of the conduct complained of herein in violation of RCW 19.86.020.

6 9.7 That the Court make such orders pursuant to RCW 19.86.080 to provide that the  
7 Plaintiff, State of Washington, have and recover from the Defendant the costs of this action,  
8 including reasonable attorneys' fees, for violations of RCW 19.86.020.

9 9.8 For such other relief as the Court may deem just and proper.

10 DATED this 20th day of May, 2009.

11 ROBERT M. McKENNA  
12 Attorney General

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14 SHANNON E. SMITH, WSBA # 19077  
15 Assistant Attorney General  
16 Attorney for Plaintiff  
17 State of Washington  
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