

**COPY**

**FILED**

MAR 13 2018

KATHY MARTIN  
WALLA WALLA COUNTY CLERK

**STATE OF WASHINGTON  
WALLA WALLA COUNTY SUPERIOR COURT**

In re:

NO. **18 2 -00226 6**

WALLA WALLA SENIOR CITIZENS  
CENTER, INC., a Washington  
Nonprofit Corporation d/b/a WALLA  
WALLA SENIOR CENTER and as  
CENTER AT THE PARK

PETITION FOR ORDER APPROVING  
ASSURANCE OF  
DISCONTINUANCE PURSUANT  
RCW 19.86.100

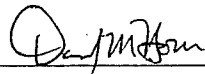
Respondent.

The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and David M. Horn, Senior Counsel, petitions this Court for an Order approving the attached Assurance of Discontinuance. This petition is made 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. A proposed order is enclosed.

DATED this 8<sup>th</sup> day of March, 2018.

Presented By:

ROBERT W. FERGUSON  
Attorney General

  
DAVID M. HORN, WSBA #13514  
Senior Counsel  
Attorneys for State of Washington

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STATE OF WASHINGTON  
WALLA WALLA COUNTY SUPERIOR COURT

In re:  
WALLA WALLA SENIOR CITIZENS  
CENTER, INC., a Washington  
Nonprofit Corporation d/b/a WALLA  
WALLA SENIOR CENTER and as  
CENTER AT THE PARK,  
Respondent.

NO. 18 2-00226 6  
ORDER APPROVING ASSURANCE  
OF DISCONTINUANCE PURSUANT  
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. Following entry of the Assurance of Discontinuance, the clerk is directed to close this matter.

DATED this 13<sup>th</sup> day of March, 2018.

~~JOHN W. LOHRMANN~~  
JUDGE/COURT COMMISSIONER

Approved for Entry and Presented By:  
ROBERT W. FERGUSON  
Attorney General

Approved for Entry; Notice of  
Presentation Waived:

David M. Horn  
DAVID M. HORN WSBA#13514  
Senior Counsel  
Attorneys for State of Washington

Mona Grudl WSBA#42455  
Attorney for Walla Walla Senior Citizens Center,  
Inc., a Washington Nonprofit Corporation d/b/a  
Walla Walla Senior Center and Center at the Park

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MAR 13 2018

KATHY MARTIN  
WALLA WALLA COUNTY CLERK

STATE OF WASHINGTON  
WALLA WALLA COUNTY SUPERIOR COURT

In re:

WALLA WALLA SENIOR CITIZENS  
CENTER, INC., a Washington  
Nonprofit Corporation d/b/a WALLA  
WALLA SENIOR CENTER and as  
CENTER AT THE PARK,

Respondent.

NO. 18 2 00226 6

ASSURANCE OF  
DISCONTINUANCE

The State of Washington, by its attorneys, Robert W. Ferguson, Attorney General, and David M. Horn, Senior Counsel, files this Assurance of Discontinuance pursuant to RCW 19.86.100.

1. The Attorney General initiated an investigation into the charitable registration status of the Respondent, Walla Walla Senior Citizens Center, Inc., a Washington nonprofit corporation that does business as Walla Walla Senior Center and as Center at the Park.

2. The Attorney General deems the following to constitute unfair or deceptive acts or practices in violation of the Consumer Protection Act, RCW 19.86.020, and violations of the Charitable Solicitation Act, RCW 19.09.065(1) and RCW 19.09.100(12):

Soliciting or collecting charitable contributions from the general public in the state of Washington, without registering as a charitable organization with the Washington Secretary of State as required by RCW 19.09.

1           3.     Respondent agrees to cease conducting charitable solicitations in the state of  
2 Washington until Respondent has successfully registered as a charitable organization with the  
3 Charities Division of the Washington Secretary of State and paid the sum specified in paragraph 4  
4 of this Assurance.

5           4.     The Respondent agrees to pay the costs and reasonable attorneys' fees incurred by  
6 the Attorney General in pursuing this matter in the amount of \$1,000.00, payable in full upon  
7 signing this Assurance of Discontinuance. Payment shall be made by valid cashier's check, paid  
8 to the order of Attorney General—State of Washington.

9           5.     Respondent shall send the signed Assurance of Discontinuance and the cashier's  
10 check to the Office of the Attorney General, Attention: Margaret Farmer, Consumer Protection  
11 Division, 800 Fifth Avenue, Suite 2000, Seattle, Washington, 98104-3188.

12           6.     This Assurance of Discontinuance shall not be considered an admission of  
13 violation of the Consumer Protection Act or the Charitable Solicitations Act for any purposes, but  
14 failure to comply with this Assurance of Discontinuance shall be *prima facie* evidence of  
15 violations of RCW 19.86.020, for which the violator, Walla Walla Senior Citizens Center, Inc., a  
16 Washington nonprofit corporation that does business as Walla Walla Senior Center and as Center  
17 at the Park., and its officers, directors, and principals, may be found liable by the Court for  
18 injunctions, restitution, civil penalties of up to \$2,000.00 per violation, and costs, including  
19 reasonable attorneys' fees, incurred by the Attorney General in pursuing such action.

20           7.     Under no circumstances shall this Assurance of Discontinuance or the name of the  
21 State of Washington, the Office of the Attorney General, the Washington Secretary of State, or  
22 any of its employees or representatives be used by the Respondent or by its officers, employees,  
23 representatives, or agents in conjunction with any business or charitable activity of the  
24 Respondent, including but not limited to claiming that the State has approved of Respondent's  
25 business or charitable practices.

26     ///

1 8. Nothing in this Assurance of Discontinuance shall be construed to limit or bar any  
2 person or entity from pursuing any legal remedies against the Respondent.

3  
4 APPROVED IN OPEN COURT THIS 13<sup>th</sup> day of March, 2018.

5  
6 JOHN W. LOHRMANN

7 JUDGE/COURT COMMISSIONER

8  
9  
10 Approved for Entry and Presented by:

Agreed to, Approved for Entry, Notice of  
Presentation Waived:

11 ROBERT W. FERGUSON  
12 Attorney General

13 David M. Horn  
14 DAVID M. HORN, WSBA #13514  
15 Senior Counsel  
16 Attorneys for State of Washington

17 Mona Geidl WSBA #4245  
18 Attorney for Walla Walla Senior  
19 Citizens Center, Inc., a Washington  
20 Nonprofit Corporation d/b/a Walla  
21 Walla Senior Center and Center at the  
22 Park