

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
DIVISION OF SECURITIES  
1511 PONTIAC AVENUE  
JOHN O. PASTORE COMPLEX – BUILDING 69-1  
CRANSTON, RI 02920**

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IN THE MATTER OF

AMYOTROPHIC LATERAL SCLEROSIS  
ASSOCIATION

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: **CONSENT AGREEMENT**  
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I.

The Securities Division (the "Division") of the Rhode Island Department of Business Regulation (the "Department") enters into this Consent Agreement ("Agreement") to resolve concerns that Sections 5-53.1-2, 5-53.1-2 (13) (e), and 5-53.1-7(8)(i) of the Solicitation by Charitable Organizations Act (the "Act"), Chapter 5-53.1 *et seq.* of the Rhode Island General Laws, may have been violated by The Amyotrophic Lateral Sclerosis Association ("ALSA"). The Division has determined to resolve this matter, after investigation but without instituting administrative proceedings, by entering into this Agreement.

II.

It is hereby agreed by and between the Division and ALSA that:

1. ALSA is a charitable organization with a principal place of business at 1275 K Street, NW, Suite 1050 , Washington, DC 20005.
2. At all times relevant to this agreement, it has been unlawful for a charity to solicit

contributions in this State unless properly registered in accordance with §5-53.1-2 or exempt there from pursuant to §5-53.1-3 of the Act.

3. Registration records maintained by the Division indicate that ALSA first registered as a charitable organization seeking to solicit contributions in Rhode Island in August 1998 and has continued to renew its registration annually, even though it has occasionally been filed late. ALSA's last renewal was on August 2, 2009 with an expiration date of August 2, 2010.

4. On December 2, 2010, the Division received ALSA's re-registration application. Pursuant to the Act, this re-registration application is required to be submitted thirty (30) days prior to the date of expiration. Such late submission constitutes a violation of §5-53.1-2 (13) (e).

5. In February 2011, the Division notified ALSA of the renewal deficiency and requested that ALSA provide the Division with the number of charitable solicitations it conducted during the time period that it failed to maintain a valid registration.

6. On April 21, 2011, the Division received a response to the request in which ALSA indicated that it received six thousand, three hundred fifteen dollars and thirty cents (\$6,315.30) in contributions from residents of Rhode Island during the unregistered time-period.

7. It is the position of the Division that the late submission of its renewal registration by ALSA constitutes a violation of §5-53.1-2 (13) (e) of the Act that requires a renewal registration be submitted prior to the expiration of the then current registration. Specifically, the Act reads: *(e) Registration under this section shall expire one year following the approval of the application by the department.... Re-registration shall also be for a similar period of one year and may be effected*

*by filing an application .... no later than thirty (30) days prior to the expiration of the prior registration.*

8. Further, it is the position of the Division that the charitable solicitations made to Rhode Island residents by ALSA during the period when it failed to maintain its registration as a charitable organization in this State constitutes a violation of §5-53.1-2 and §5-53.1-7(8)(i).

### III.

Based on the foregoing, the Division finds that the following is in the public interest, appropriate for the protection of donors to charitable organizations, and consistent with the purposes intended by the provisions of the Solicitation by Charitable Organizations Act.

Accordingly, in resolution of the allegations, ALSA, without admitting or denying any violations, and without any judicial determination, the Division and ALSA agree to the following:

1. ALSA shall immediately undertake to comply fully with the Solicitation by Charitable Organizations Act §5-53.1 et seq.

2. ALSA shall, upon signing the Agreement, pay an administrative penalty in the amount of Five Hundred Dollars (\$500.00) to the General Treasurer State of Rhode Island.

3. ALSA will ensure that the Division, no later than thirty (30) days prior to the date of expiration in accordance with §5-53.1-2 (13) (e), receives its re-registration application.

4. Upon the Division's execution of this Agreement, ALSA will be registered until April 13, 2012, and ALSA will maintain its registration in accordance with §5-53.1-2, and §5-53.1-7(8)(i).

5. Additional violations of the Solicitation by Charitable Organizations Act may be

grounds for significant and substantial penalties such as revocation or suspension, administrative penalties up to one thousand dollars (\$1,000.00) per violation and the imposition of criminal and civil sanctions.

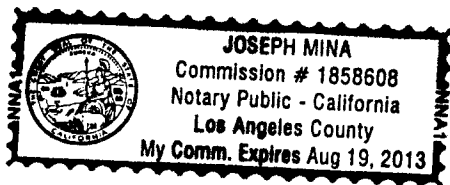
Dated this 27<sup>th</sup> day of June md, 2011.

Maria L. D'Alessandro  
Maria L. D'Alessandro, Deputy Director of Securities,  
Commercial Licensing and Racing and Athletics

Amyotrophic Lateral Sclerosis Association

By: John W. Applegate  
John W. Applegate  
Its: Associate Finance Officer

On this 27 day of May, 2011 appeared before me John W. Applegate  
\_\_\_\_\_ who executed the foregoing Consent Agreement and who  
duly acknowledged to me that he/she was authorized to do so.



Joseph Mina  
NOTARY PUBLIC  
My Commission Expires: 8-19-2013