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**VIRGINIA:**

**IN THE CIRCUIT COURT OF ARLINGTON COUNTY**

<b>COMMONWEALTH OF VIRGINIA,</b>	)
<b>EX REL. MARK R. HERRING,</b>	)
<b>ATTORNEY GENERAL,</b>	)
	)
<b>Plaintiff,</b>	)
	)
v.	)
	)
<b>DONORWORX, INC.,</b>	)
<b>a Delaware corporation,</b>	)
	)
<b>Defendant.</b>	)

CIVIL ACTION NO. 16-2939

**CONSENT JUDGMENT**

The Plaintiff, Commonwealth of Virginia, by, through and at the relation of the Attorney General of Virginia, Mark R. Herring (the "Plaintiff" or the "Commonwealth"), and Defendant, Donorworx, Inc. (the "Defendant" or "Donorworx"), both by counsel, represent to the Court that they have resolved the matters between them and have agreed to the terms of this Consent Judgment, as follows:

**STIPULATED RECITALS**

1. The Plaintiff is the Commonwealth of Virginia, *ex rel.* Mark R. Herring, Attorney General. Under Virginia Code § 57-59(D), the Attorney General has statutory authority to civilly enforce violations of the Virginia Solicitation of Contributions Law (the "VSOC Law"), Virginia Code §§ 57-48 through 57-61.

2. The Defendant, Donorworx, Inc., is a Delaware corporation with its principal place of business in Bethesda, Maryland. Donorworx's Certificate of Authority to Transact

Business in the Commonwealth was issued by the Virginia State Corporation Commission on March 28, 2013. Donorworx works with charitable organizations to set up face-to-face fundraising campaigns across Canada and the United States, including retail campaigns, door to door, and street fundraising.

3. The Office of the Attorney General investigated allegations that the Defendant operated in violation of the VSOC Law, specifically Virginia Code §§ 57-54(B), 57-57(F)(1), 57-57(K), 57-61(A), and 57-61(D), by failing to: (1) file solicitation contracts between itself and a charitable organization with the Commissioner of Agriculture and Consumer Services (the “Commissioner”), (2) file written authorization from two officers of the charitable organization to solicit on its behalf with the Commissioner, (3) register with the Commissioner as a professional solicitor prior to soliciting within the Commonwealth, and (4) file a Solicitation Notice at least ten days prior to the commencement of a solicitation campaign.

4. In the interest of resolving these matters, the Commonwealth and the Defendant have agreed on a basis for the settlement of the Complaint and stipulated to entry of this Consent Judgment between the parties without trial or the adjudication of the validity of any alleged issue of law or fact.

5. The Defendant and the Commonwealth waive their right to appeal from this Consent Judgment and enter into this Consent Judgment voluntarily and state that no promises of any kind were made to enter into this Consent Judgment, except as provided herein.

6. The Defendant consents to and submits itself to the jurisdiction of this Court and waives any objections it may have had to the jurisdiction of this Court over it for all matters relating to the entry, execution, monitoring, and enforcement of this Consent Judgment. The

Defendant further waives any objections it may have had to venue in this Court for matters relating to the entry, execution, monitoring, and enforcement of this Consent Judgment.

**ORDER**

NOW, THEREFORE, based upon the advice and stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. Upon agreement of the parties, the Court hereby enters this Consent Judgment.
2. The Court shall retain jurisdiction to enforce the terms and conditions of this Consent Judgment.
3. Donorworx, in its own name or doing business under any other trade name, and its agents, employees, officers, directors, and any other persons in active concert or participation with any of them, with either actual or constructive knowledge of this Consent Judgment, are hereby permanently enjoined from:
  - a. Violating any provision of the Virginia Solicitation of Contributions Law, Virginia Code §§ 57-48 through 57-69;
  - b. Failing to file solicitation contracts between itself and a charitable organization with the Commissioner;
  - c. Failing to file written authorization from two officers of the charitable organization to solicit on its behalf with the Commissioner;
  - d. Failing to register with the Commissioner as a professional solicitor prior to soliciting within the Commonwealth; and
  - e. Failing to file a Solicitation Notice with the Commissioner at least ten days prior to the commencement of a solicitation campaign.

4. The Commonwealth shall have judgment against, and shall recover from, the Defendant, the sum of Two Thousand Five Hundred Dollars (\$2,500) pursuant to Virginia Code § 57-59(E), as a civil penalty for alleged violations of the VSOC Law. The amounts paid and collected shall be deposited to the Attorney General's Regulatory, Consumer Advocacy, Litigation and Enforcement Revolving Trust Fund.

5. The Commonwealth shall have judgment against, and shall recover from, the Defendant, the sum of One Thousand Five Hundred Dollars (\$1,500) pursuant to Virginia Code § 57-59(E), for reimbursement of the Commonwealth's reasonable expenses, costs, and attorneys' fees in investigating and preparing this action. The amounts paid and collected shall be deposited to the Attorney General's Regulatory, Consumer Advocacy, Litigation and Enforcement Revolving Trust Fund.

6. The Defendant shall make payment of the total Four Thousand Dollars (\$4,000.00) referenced in Paragraphs 4 and 5 above in the following manner:

a. Simultaneously with the execution of this Consent Judgment, the Defendant shall deliver to the Commonwealth a certified or cashier's check, in the amount of Two Thousand Dollars (\$2,000.00), made payable to "Treasurer of Virginia," and remitted to: Angela King, Assistant Attorney General, Consumer Protection Section, 202 North 9th Street, Richmond, Virginia, 23219.

b. Within thirty (30) days of entry of this Consent Judgment, the Defendant shall make payment of the remaining Two Thousand Dollars (\$2,000.00) in the form of a certified or cashier's check, made payable to "Treasurer of Virginia," and remitted to: Angela King, Assistant Attorney General, Consumer Protection Section, 202 North 9th Street, Richmond, Virginia, 23219.

7. Nothing in this Consent Judgment shall relieve the Defendant of its obligation to comply with all applicable state and federal laws.

8. This Consent Judgment may be modified only by order of this Court. After making a good faith effort to obtain the concurrence of the other party for the requested relief, the Defendant or the Commonwealth may petition this Court for modification of the terms and conditions of this Consent Judgment.

9. The waiver or failure of any party to exercise any rights under this Consent Judgment shall not be deemed a waiver of any right or any future rights.

10. A violation of any provision of this Consent Judgment shall be punishable as contempt and may subject the person or entity in violation to all penalties or sanctions allowed by law.

ENTER: 

11/22/2016

DANIEL S. FIORE, II  
JUDGE

**WE ASK FOR THIS:**

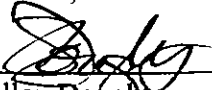
COMMONWEALTH OF VIRGINIA,  
*EX REL.* MARK R. HERRING  
ATTORNEY GENERAL

By: 


Angela M. King (VSB # 76922)  
Assistant Attorney General  
Richard S. Schweiker, Jr. (VSB # 34258)  
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Consumer Protection Section  
202 North 9th Street  
Richmond, Virginia 23219  
Phone: (804) 786-7364  
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*Counsel for Commonwealth of Virginia, ex rel. Mark R. Herring, Attorney General*

DONORWORX, INC.

By:   
Shelley Doughty

Its: Founder and Chief Financial Officer  
Title

By:   
Hailey Render (VSB#89995)  
Merritt J. Green (VSB#50995)  
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