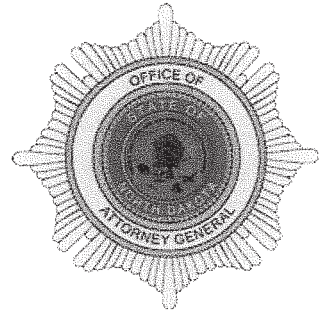




OFFICE OF ATTORNEY GENERAL
CONSUMER PROTECTION AND ANTITRUST DIVISION
GATEWAY PROFESSIONAL CENTER
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STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE OF NORTH DAKOTA EX REL.
WAYNE STENEHJEM,
ATTORNEY GENERAL,

Petitioner,

-vs-

BRITTANY CAMACHO, doing business as
NATIONWIDE SOLDIER SUPPORT,

Respondent.

**CEASE AND DESIST ORDER,
NOTICE OF CIVIL PENALTY
AND NOTICE OF RIGHT
TO REQUEST A HEARING**

CPAT 170182.001

To the individuals identified below ("Respondent"):

BRITTANY CAMACHO
NATIONWIDE SOLDIER SUPPORT
2623 MT. MCKINLEY CT
PUYALLUP, WA 98374

BACKGROUND

1. The Attorney General of North Dakota has a reasonable basis to believe Respondent has engaged in, or is engaging in, acts or practices declared unlawful by N.D.C.C. ch. 50-22, commonly referred to as the "Charitable Organizations Soliciting Contributions Law;" N.D.C.C. ch. 51-04, commonly referred to as the "Transient Merchants Law;" N.D.C.C. ch. 51-18, commonly known as the "Home Solicitations Law;" and N.D.C.C. ch. 51-15, commonly referred to as the "Consumer Fraud Law." It is

necessary and appropriate in the public interest and for the protection of consumers to restrain the Respondent's unlawful acts or practices.

2. Respondent, individually and by and through her agents, is doing business under some or all of the names identified above, and has engaged in violations of North Dakota law by: 1) operating a charitable organization that engages in or purports to engage in solicitation for a charitable purpose without first registering with the North Dakota Secretary of State, in violation of N.D.C.C. ch. 50-22; 2) for financial compensation or profit, performs for a charitable organization a service in connection with which contributions are, or will be solicited, without first registering with the North Dakota Secretary of State, in violation of N.D.C.C. ch. 50-22; 3) engaging in, doing, or transacting business as a transient merchant without first applying for and receiving a transient merchant license from the Attorney General, in violation of N.D.C.C. ch. 51-04; 4) engaging in personal solicitation sales without providing notice of cancellation, in violation of N.D.C.C. ch. 51-18; and 5) acting, using, or employing deceptive acts or practices, fraud, false pretenses, false promises, or misrepresentations, with the intent that others rely thereon in connection with the sale or advertisement of merchandise, in violation of N.D.C.C. ch. 51-15.

3. Respondent Brittany Camacho's ("Respondent" or "Camacho") last known address is 2623 Mt. McKinley Court, Puyallup, WA 98374. Nationwide Soldier Support is not registered as a charitable organization or professional fundraiser in North Dakota. Camacho is not registered as a professional fundraiser in North Dakota. Nationwide Soldier Support is not registered as a charitable organization or professional fundraiser in Washington.

4. Respondent is in the business of soliciting and selling merchandise, including soliciting contributions for the purported entity “Nationwide Soldier Support.” Respondent, or Respondent’s agents on Respondent’s behalf, solicited North Dakota customers.

5. Respondent solicited contributions from persons in North Dakota, or operated as a professional fundraiser in North Dakota, without first registering with the North Dakota Secretary of State’s Office. Under N.D.C.C. § 50-22-05, when a charitable organization or professional fundraiser operates in violation of N.D.C.C. ch. 50-22, the Attorney General has all of the powers provided in N.D.C.C. chs. 50-22 or 51-15, and the Attorney General may seek all remedies in N.D.C.C. chs. 50-22 or 51-15. The remedies, duties, prohibitions, and penalties in N.D.C.C. ch. 50-22 are not exclusive and are in addition to all other causes of action, remedies, and penalties in N.D.C.C. ch. 51-15, or otherwise provided by law.

6. On September 8, 2017, the Attorney General learned that Respondent was soliciting contributions from North Dakota consumers. According to a North Dakota consumer, a male by the name of “Alex” was soliciting contributions in his neighborhood on behalf of an entity named “Nationwide Soldier Support,” ostensibly to send care packages to soldiers overseas.

7. A preliminary investigation revealed that neither Nationwide Soldier Support nor Camacho are registered as a charitable organization or professional fundraiser in North Dakota.

8. Nationwide Soldier Support maintains a website at www.nationwidesoldiersupport.org. The Nationwide Soldier Support website was

created on June 15, 2017 by Brittany Camacho, 2623 Mt. McKinley Court, Puyallup, WA 98374, phone number 253-268-8348, e-mail address Kleemacho98@gmail.com. See, Exhibit 1. Camacho's website is poorly written and contradictorily represents that Nationwide Soldier Support is not a non-profit and that contributions made to them are "sales." Camacho represents that Nationwide Soldier Support sends "80% [of contributions] to a non profit that builds and ships care packages. This is how we send care packages until we hear back from USO and can get the soldiers APO's [sic]." See, Exhibit 2.

9. On September 8, 2017, Camacho spoke with an investigator regarding solicitations made to North Dakota consumers. When asked to provide the total number of sales made in North Dakota, Camacho stated that she could provide that information the following week. Camacho represented that 80% of contributions were going toward care packages, and the remaining 20% was retained by Nationwide Soldier Support. Camacho also stated that she was in the hospital. When Camacho was advised that Nationwide Soldier Support would have to cease solicitations in North Dakota at least until it was properly registered, Camacho said that she would let her "manager" know. Camacho was further advised that she may have to issue refunds to any North Dakota consumers from whom she received contributions.

10. On September 11, 2017, when an investigator attempted to reach Camacho to find out how many sales were made in North Dakota, Camacho did not answer or return the investigator's telephone call.

11. On September 18, 2017, an investigator attempted on a second occasion to reach Camacho to find out the total number of sales made in North Dakota. Again, Camacho did not answer or return the investigator's telephone call.

12. Based on information received, it appeared to the Attorney General that Respondent was engaged in violations of North Dakota law. Pursuant to N.D.C.C. § 51-15-06.1, on September 22, 2017, the Attorney General offered an Assurance of Voluntary Compliance ("AVC") to Respondent to settle violations of N.D.C.C. chs. 50-22, 51-04, 51-15, and 51-18 without investigation and litigation. The Attorney General requested return of the AVC on or before October 6, 2017. Respondent did not respond.

13. On October 10, 2017, the Attorney General sent a letter to Respondent requesting that Respondent complete and return the AVC on or before October 24, 2017. Respondent did not respond.

14. On November 7, 2017, the Attorney General issued a Civil Investigative Demand ("CID") to Respondent pursuant to the Attorney General's authority under N.D.C.C. § 51-15-04. The CID was sent to Respondent at her last known address, 2623 Mt. McKinley Ct., Puyallup, WA 98374. Camacho signed for the certified copy of the CID on November 9, 2017. The CID required response by November 21, 2017. In lieu of responding to the CID, the Attorney General offered Respondent another opportunity to return the AVC, this time by November 14, 2017. Respondent did not execute and return the AVC, and did not respond to the CID.

15. On November 9, 2017, Camacho called the Attorney General's Office regarding the CID. During the telephone call, Camacho stated that she operated Nationwide Soldier Support, even though she previously represented having a

“manager.” Camacho stated that the Attorney General had to “prove” to her that she was operating in North Dakota, even though she previously stated that she would provide the Attorney General with the total number of solicitations made in North Dakota. She then stated that if anyone was soliciting on behalf of Nationwide Soldier Support in North Dakota, it was without her knowledge.

16. A male who did not identify himself then interrupted the telephone call between Camacho and the Attorney General’s Office. He stated that they (he and Camacho) would not comply with the CID, and that the North Dakota Attorney General’s Office had no legal recourse since they were in Washington. When advised that the Attorney General could take further legal action to enforce its CID, the male again stated that they would not comply and that the Attorney General’s Office could not do anything.

17. On November 13, 2017, the Attorney General sent Respondent a letter requesting that Respondents comply with the CID on or before November 21, 2017. Respondent did not comply with the Civil Investigative Demand. Pursuant to N.D.C.C. § 51-15-07, the Attorney General may issue a cease and desist order for Respondent’s failure to respond to the Civil Investigative Demand.

18. It appears to the Attorney General that Respondent, or Respondent’s agents on Respondent’s behalf, engaged in violations of N.D.C.C. chs. 50-22, 51-04, 51-15, and 51-18 by: 1) soliciting contributions in North Dakota without first registering with the North Dakota Secretary of State’s Office as a charitable organization or professional fundraiser, 2) engaging in the business of soliciting charitable contributions as a transient merchant without receiving a transient merchant license from the North

Dakota Attorney General's Office, 3) soliciting sales without providing notice of cancellation to North Dakota consumers; and 4) acting, using, or employing deceptive acts or practices, fraud, false pretenses, false promises, or misrepresentations, with the intent that others rely thereon in connection with the sale or advertisement of merchandise.

ORDER

Based upon the foregoing information, it appears to the Attorney General that Respondent has engaged in violations of N.D.C.C. chs. 50-22, 51-04, 51-15, and 51-18, and Respondent has failed or refused to respond to the Civil Investigative Demand as required by N.D.C.C. § 51-15-04; **NOW, THEREFORE, IT IS ORDERED** pursuant to N.D.C.C. § 51-15-07 that Respondent, or agents on her behalf, immediately **CEASE AND DESIST** from: 1) operating a charitable organization that engages in or purports to engage in solicitation for a charitable purpose without first registering with the North Dakota Secretary of State, in violation of N.D.C.C. ch. 50-22; 2) for financial compensation or profit, performing for a charitable organization a service in connection with which contributions are, or will be solicited, without first registering with the North Dakota Secretary of State, in violation of N.D.C.C. ch. 50-22; 3) engaging in, doing, or transacting business as a transient merchant without first applying for and receiving a transient merchant license from the Attorney General, in violation of N.D.C.C. ch. 51-04; 4) engaging in personal solicitation sales without providing notice of cancellation, in violation of N.D.C.C. ch. 51-18; and 5) acting, using, or employing deceptive acts or practices, fraud, false pretenses, false promises, or misrepresentations, with the intent that others rely thereon in connection with the sale or advertisement of merchandise, in

violation of N.D.C.C. ch. 51-15. Respondent also shall immediately **CEASE AND DESIST** from issuing any invoices or bills to North Dakota consumers for any services or merchandise and **CEASE AND DESIST** from taking any payments from North Dakota consumers including, but not limited to, direct debits or withdrawals from North Dakota consumers' bank accounts, cash, checks, or credit card payments for the sale of merchandise as defined in N.D.C.C. § 51-15-01(3).

YOU ARE NOTIFIED that pursuant to N.D.C.C. § 12.1-09-03 a person is guilty of a criminal offense if he or she intentionally "alters, destroys, mutilates, conceals, or removes a record, document, or thing with intent to impair its verity or availability" in an official proceeding. As such, intentional destruction of any documents related to this matter may result in criminal prosecution.

NOTICE OF CIVIL PENALTIES

YOU ARE FURTHER NOTIFIED that pursuant to N.D.C.C. § 51-15-07 any violation of this Cease and Desist Order is subject to civil penalties not to exceed \$1,000.00 per violation. Any violation of this Order that also is a violation of N.D.C.C. ch. 51-15 may result in additional civil penalties of not more than \$5,000.00 per violation. Such penalties are separate and in addition to any civil penalties, costs, expenses, investigation fees, and attorney fees pursuant to N.D.C.C. ch. 51-15 or any other applicable statute. Nothing in this Order is intended to limit or waive any rights and remedies available to the State of North Dakota or consumers.

NOTICE OF RIGHT TO REQUEST HEARING

YOU ARE NOTIFIED that pursuant to N.D.C.C. § 51-15-07 you may request a hearing before the Attorney General if such a request is made in writing WITHIN TEN (10)

DAYS AFTER THE RECEIPT OF THIS ORDER. Respondent has the right to be represented by legal counsel at the hearing at Respondent's expense.

Dated this 22nd day of November, 2017.

STATE OF NORTH DAKOTA

Wayne Stenehjem

Attorney General

BY:



Parrell D. Grossman, NDBID 04684

Assistant Attorney General

Director

Consumer Protection and

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