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18CV08501

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

In the Matter of:  
AMERICANS FOR LAW ENFORCEMENT  
PAC, an unincorporated association, and  
ALLIANCE MARKETING, LLC,

Case No.  
**ASSURANCE OF VOLUNTARY  
COMPLIANCE**

Respondents

1.

Americans for Law Enforcement PAC (ALE PAC) was a federal political action committee that contracted with professional fundraising firms, including Alliance Marketing, LLC, to solicit contributions from Oregon residents over the telephone. Oregonians made contributions to ALE PAC in response to the solicitations. ALE PAC filed a termination report with the Federal Election Commission on January 12, 2018. The Federal Election Commission approved termination of ALE PAC on January 19, 2018. ALE PAC is no longer soliciting or accepting contributions.

2.

Alliance Marketing, LLC is a professional fundraising firm that contracted to solicit contributions to ALE PAC from Oregon residents by telephone.

3.

The Department alleges that, during the time period ALE PAC was operating, ALE PAC, acting through Alliance Marketing, LLC made false or misleading statements during solicitations to Oregon residents in violation of ORS 646.608(b) and (u). The Department further alleges that ALE PAC, acting through Alliance Marketing, LLC violated ORS 646.561 *et seq.* regarding unlawful telephone solicitations by placing calls to Oregon telephone numbers listed on the National Do Not Call Registry in violation of ORS 646.569 and ORS 646.608(ff).

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4.

This Assurance of Voluntary Compliance shall resolve any and all of the State's claims against Respondents under the Unlawful Trade Practices Act, whether unknown, known, or suspected, based on the conduct alleged in Paragraph 3. This Assurance of Voluntary Compliance shall not be considered an admission of a violation of the Unlawful Trade Practices Act by Respondents for any purpose.

5.

Respondents understand and agree that this Assurance of Voluntary Compliance applies to Respondents, Respondents' principals, officers, directors, agents, employees, or representatives if their actions are directed, formulated, and controlled by Respondents, to any parent or subsidiary corporation, and to any affiliated or successor organization. A successor organization of ALE PAC is defined as any federal political action committee in which William Tierney serves as a principal of the successor organization.

6.

Respondents recognize the requirements the Oregon Unlawful Trade Practices Act, ORS 646.601 *et seq.*, including the prohibition on engaging in unlawful telephone solicitations prohibited by ORS 646.561 to 646.565 *et seq.* Respondents agree to obey Oregon's Unlawful Trade Practices Act, ORS 646.605 to ORS 646.656, and to refrain from engaging in unlawful telephone solicitations prohibited by ORS 646.561 to 646.565 *et seq.*

7.

Respondents understand and agree that, in addition to any other sanctions which may be imposed under this Assurance of Voluntary Compliance or under the law, subsequent willful violations of the terms of this Assurance of Voluntary Compliance may result in civil penalties of up to \$25,000 for each violation, and such further relief as the court, under the circumstances, may deem appropriate.

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8.

Respondents understand and agree that if this Assurance of Voluntary Compliance is accepted by the prosecuting attorney herein, it will be submitted to the Circuit Court of Multnomah County for approval and, if approved, will be filed with the clerk of the court. Respondents agree to the filing of this Assurance of Voluntary Compliance in the Circuit Court of Multnomah County as an appropriate court pursuant to ORS 646.605(1)(d).

9.

Respondents shall not represent or imply that the Department acquiesces or approves of any past practices, current efforts to reform practices, or any future practices it adopts or considers adopting. The Department's decision to settle this matter or to otherwise unilaterally limit current or future enforcement action does not constitute approval or imply authorization for any past, present, or future business practice.

10.

In lieu of civil penalties, Respondents shall pay the sum of \$15,000 to the Department for deposit to the Department of Justice account established pursuant to ORS 180.095 within 10 business days of the day this Assurance is accepted by the Court. Said sum may be used by the Department as provided by law.

11.


Respondents understand that the Department may convert any unpaid portion of this Assurance to a General Judgment, Money Award under ORS 646.632(2) without notice to Respondents if a payment is not timely made. Respondents agree that a copy of the General Judgment, Money Award may be sent to Respondents by prepaid first class mail sent to the address following Respondents' signatures.

12.

Respondents acknowledge receipt of a copy of this Assurance of Voluntary Compliance prior to filing. Respondents further agree to accept service of a conformed copy of this

1 Assurance of Voluntary Compliance by prepaid first class mail sent to Respondents' counsel,  
2 Kristen G. Hilton, Sussman Shank LLP, 1000 SW Broadway, Suite 1400, Portland, OR 97205.  
3 Respondents expressly waive personal service of a conformed copy of this Assurance of  
4 Voluntary Compliance after it has been filed. Respondents agree that, following acceptance of  
5 the Assurance by the Department, the Department may communicate directly with Respondents  
6 on all matters relating to this Assurance.

7 Accepted for filing this \_\_\_\_\_ day of <sup>MAR 09 2018</sup> \_\_\_\_\_ 2018.

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11 CIRCUIT COURT JUDGE

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**RESPONDENTS' SIGNATURES AND ACKNOWLEDGMENT**

Respondent Americans for Law Enforcement PAC has read and understands this agreement and agrees to each and every term. Respondent has distributed a copy of this Assurance to each of the principals identified in Paragraph 4.

DATED this 12<sup>th</sup> day of February, 2018.

William Tierney  
Signature of William Tierney

William Tierney  
Printed Name  
On behalf of Americans for Law Enforcement PAC

organizer  
Title

Address:  
1521 Concord Pike, Suite 301  
Wilmington, DE 19803

1 Respondent Alliance Marketing, LLC has read and understands this agreement and  
2 agrees to each and every term.

3 DATED this 12<sup>th</sup> day of February, 2018.

4  
5 William Tierney  
6 Signature

7 William Tierney  
8 Printed Name  
9 On behalf of Alliance Marketing, LLC

10 President  
11 Title

12 Address:  
13 1521 Concord Pike, Suite 301  
14 Wilmington, DE 19803

15 ACCEPTED this 9<sup>th</sup> day of March, 2018.

17 ELLEN F. ROSENBLUM  
18 Attorney General

19 Heather L. Weigler  
20 Heather L. Weigler OSB #035900  
21 Assistant Attorney General  
22 Oregon Department of Justice  
23 Charitable Activities Section  
24 100 SW Market Street, 4<sup>th</sup> Floor  
25 Portland, Oregon 97201

26 Attorneys for State of Oregon