

FILED

AUG 12 2016

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.

**STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT**

PASADO'S SAFE HAVEN, a
Washington non-profit corporation,

Respondent.

NO. 10-2-09124-4

ASSURANCE OF
DISCONTINUANCE

The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and Shannon E. Smith, Assistant Attorney General, files this Assurance of Discontinuance pursuant to RCW 19.86.100.

1. Respondent, Pasado's Safe Haven, agrees it will always distinguish to prospective donors which charitable donations will be used for the benefit of a specific animal or project and which donations will be used toward the general benefit of all sanctuary animals and/or operations related to the efforts to end animal cruelty.

2. Respondent, Pasado's Safe Haven, agrees that it will include the published number and web site of the Secretary of State's Office on all written solicitations.

3. Respondent, Pasado's Safe Haven, agrees that it will not appoint Susan Michaels to the Board of Directors nor will it employ her in any executive management position within the organization.

COPY

1 4. This agreement does not constitute, and shall not be construed as, an admission
2 of wrongdoing or violation of the Consumer Protection Act, RCW 19.86, or the Charitable
3 Solicitations Act, RCW 19.09.

4 5. Proof of failure to comply with this Assurance of Discontinuance shall be *prima*
5 *facie* evidence of violations of RCW 19.86.020 that the Attorney General may enforce
6 pursuant to RCW 19.86.080.

7 6. Under no circumstances shall this Assurance of Discontinuance or the name of
8 the State of Washington, the Office of the Attorney General, the Washington Secretary of
9 State, or any of its employees or representatives be used by the Respondent or by its officers,
10 employees, representatives, or agents to suggest that the State, the Office of the Attorney
11 General, or the Secretary of State have approved or endorsed Respondent's activities.

12 7. The Parties agree to vacate the Consent Decree entered in this matter on
13 November 5, 2010, as contemplated by Paragraph 5.3 of the Consent Decree. The Parties will
14 vacate the Consent Decree with a Stipulated Order that will be filed separately.

15 8. Nothing in this Assurance of Discontinuance shall be construed so as to limit or
16 bar any other person or entity from pursuing any legal remedies against the Respondent.

17 **APPROVED IN OPEN COURT THIS** ____ day of _____, 2016.

18 _____
19 JUDGE/COURT COMMISSIONER

20 Presented by:
21 ROBERT W. FERGUSON
22 Attorney General
23 _____
24 SHANNON SMITH, WSBA #19077
25 Assistant Attorney General
26 Attorneys for State of Washington

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

K&L GATES
PHILIP M. GUESS, WSBA #26765
Counsel for Respondent Pasado's Safe Haven

PASADO'S SAFE HAVEN
By its authorized representative:

Position in Organization: Executive Director

FILED

2016 AUG 12 PM 12:50

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

10-2-09124-4
OR
Order
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STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT

PASADO'S SAFE HAVEN, a Washington
non-profit corporation,

Respondent

NO. 10-2-09124-4
ORDER APPROVING ENTRY OF
ASSURANCE OF DISCONTINUANCE

The Court hereby approves the attached Assurance of Discontinuance pursuant to RCW 19.86.100 and orders its entry into the Court's record.

Approved on this _____ day **AUG 11 2016**, 2016.

~~JUDGE~~/COURT COMMISSIONER

Presented By:

ROBERT W. FERGUSON
Attorney General

SHANNON E. SMITH, WSBA #19077
Assistant Attorney General
Attorneys for State of Washington

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

K&L GATES
PHILIP M. GUESS, WSBA #26765
Counsel for Respondent Pasado's Safe
Haven

Ex parte

ORIGINAL

FILED

2016 AUG 12 PM 12:50

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT

PASADO'S SAFE HAVEN, a
Washington non-profit corporation,

Respondent.

NO. 10-2-09124-4

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DISCONTINUANCE

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18 _____
19 JUDGE/COURT COMMISSIONER

20 Presented by:

21 ROBERT W. FERGUSON
22 Attorney General

23 SHANNON SMITH, WSBA #19077
24 Assistant Attorney General
25 Attorneys for State of Washington

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

27 _____
28 K&L GATES
29 PHILIP M. GUESS, WSBA #26765
30 Counsel for Respondent Pasado's Safe Haven

31 PASADO'S SAFE HAVEN
32 By its authorized representative:

33 _____
34 Position in Organization: Executive Director

FILED

AUG 12 2016

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.

**STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT**

PASADO'S SAFE HAVEN, a Washington
non-profit corporation,

Respondent.

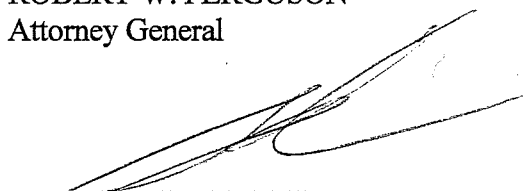
NO. 10-2-09124-4

PETITION FOR ORDER APPROVING
ASSURANCE OF DISCONTINUANCE
PURSUANT RCW 19.86.100

COMES NOW, State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General and Shannon Smith, Assistant Attorney General and 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 29 day of July, 2016.

ROBERT W. FERGUSON
Attorney General


SHANNON SMITH, WSBA #19077
Assistant Attorney General
Attorneys for State of Washington

COPY

FILED

2016 AUG 12 PM 12: 50

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

10-2-09124-4
ORV
Order Vacating
518011



STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

PASADO'S SAFE HAVEN, a
Washington non-profit corporation,

Defendant.

NO. 10-2-09124-4

JOINT MOTION FOR STIPULATED
ORDER VACATING CONSENT
DECREE AND STIPULATED
ORDER VACATING CONSENT
DECREE

The Parties jointly move the Court for entry of a Stipulated Order Vacating the Consent Decree entered in this matter on November 5, 2010.

I. INTRODUCTION

1.1 Following an investigation, the Plaintiff State of Washington (State) and Pasado's Safe Haven, a Washington non-profit corporation (Defendant), entered into a Consent Decree to resolve the State's allegations that Defendant had violated the Charitable Solicitations Act, RCW 19.09, and the Consumer Protection Act, RCW 19.86. The Consent Decree does not constitute evidence or admission of any fact, issue, or violation of law by Defendant. The Consent Decree included 11 specific injunctions and an order that Defendants pay \$70,000 to the State for its costs in investigating and pursuing the action.

1.2 Defendant fully satisfied the monetary provisions of the Consent Decree.

Ex parte

1 1.3 Paragraph 5.3 of the Consent Decree provides that Defendant may petition the
2 Court for release from or modification of any requirement of the Consent Decree after three
3 years of the issuance of the Consent Decree. It has been more than three years since the
4 Consent Decree was entered with the Court.

5 1.4 Since the Consent Decree was entered, Defendant is under new executive
6 management and has a new Board of Directors.

7 **II. STIPULATION AND MOTION**

8 2.1 The Parties stipulate that Defendant has complied with the injunctive provisions
9 of the Consent Decree.

10 2.2 The Parties shall agree to an Assurance of Discontinuance pursuant to RCW
11 19.86.100 in lieu of the injunctions set forth in Paragraphs 3.3.1 and 3.3.9 of the Consent
12 Decree. The State does not contend that further Assurances from the Defendant are necessary
13 to protect the public interest.

14 2.3 The Parties stipulate that nothing in this Joint Motion or Stipulation shall
15 prevent the Attorney General from investigating Defendant for future, potential violations of
16 the Charitable Solicitations Act or the Consumer Protection Act or taking enforcement action
17 against Defendant for potential, future violations.

18 2.4 The Parties stipulate to, and move the Court to issue, the following order.
19 Based on the foregoing, the Court hereby enters the following:

20 **III. ORDER**

21 3.1 The Consent Decree entered on November 5, 2010, is hereby VACATED.

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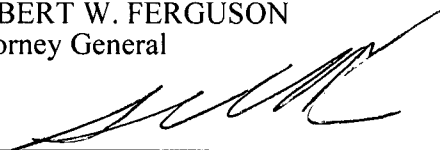
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APPROVED IN OPEN COURT THIS 11 day of AUG 2016, 2016.

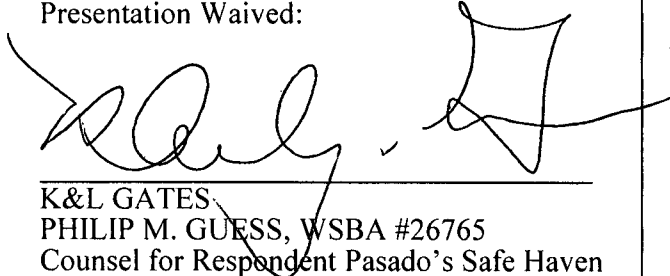

Jacquelyn D. Brudvik
~~JUDGE~~ COURT COMMISSIONER

Presented by:

ROBERT W. FERGUSON
Attorney General


SHANNON SMITH, WSBA #19077
Assistant Attorney General
Attorneys for State of Washington

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


K&L GATES
PHILIP M. GUESS, WSBA #26765
Counsel for Respondent Pasado's Safe Haven