1 2 3 4 5 6 STATE OF WASHINGTON 7 SNOHOMISH COUNTY SUPERIOR COURT 31 17965 8 STATE OF WASHINGTON, NO. 9 Plaintiff, CONSENT DECREE 10 I.C. CLEAN PEOPLE RECOVERY 11 HOUSING, a/k/a EVERETT AREA RECOVERY SERVICES, a/k/a SNOCO 12 HOMELESS RECOVERY SERVICES; and TIMOTHY REHBERG, 13 Defendants. 14 15 I. JUDGMENT SUMMARY 16 17 1.1 **Judgment Creditor:** State of Washington Timothy Rehberg, and I.C. Clean People 1.2 Judgment Debtors: 18 Recovery Housing 19 1.3 Principal Judgment Amount: \$14,426 20 21 1.4 Attorney for Judgment Creditor: Sarah Shifley, Assistant Attorney General 1.5 22 Attorney for Judgment Debtors: George T. Freemen, Law Office of George T. Freeman 23 1.6 Plaintiff, State of Washington, having commenced this action pursuant to the 24 Consumer Protection Act, RCW 19.86, and Charitable Solicitations Act, RCW 19.09; 25

26

- 1.7 Plaintiff appearing by and through its attorneys, Robert W. Ferguson, Attorney General, and Sarah Shifley, Assistant Attorney General; and Defendants appearing by and through their attorney, George T. Freeman;
- 1.8 Plaintiff and Defendants do hereby consent to the entry of this Consent Decree and its provisions (herein referred to as the "Consent Decree");
- 1.9 Plaintiff and Defendants having agreed on a basis for the settlement of the matters alleged in the Complaint, and to the entry of this Consent Decree against Defendants without the need for trial or adjudication of any issue of law or fact;
  - 110 Defendants having waived service of a Summons and Complaint;
- 1.11 Defendants recognize and state that this Consent Decree is entered into voluntarily and that no promises or threats have been made by the Attorney General's Office or any member, officer, agent or representative thereof to induce them to enter into this Consent Decree, except as provided herein; and enter into this Consent Decree freely and voluntarily and with full knowledge and understanding of the nature of the proceedings and the obligations and duties imposed upon them;
- 1.13 Defendants waive any right they may have to appeal from this Consent Decree; and
- 1.14 Defendants further agree that they will not oppose the entry of this Consent Decree on the grounds the Consent Decree fails to comply with Rule 65(d) of the Rules of Civil Procedure, and hereby waive any objections based thereon;
- 1.15 Defendants further agree that this Court shall retain jurisdiction of this action for the purpose of implementing and enforcing the terms and conditions of the Consent Decree and for all other purposes associated therewith; and,

The Court finding no just reason for delay;

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

(206) 464-7745

## II. GENERAL

- 2.1 <u>Jurisdiction</u>. This Court has jurisdiction over the subject matter of this action and over the parties. Plaintiff's Complaint in this matter states claims upon which relief may be granted under the Consumer Protection Act, Chapter 19.86 RCW, and Charitable Solicitations Act, RCW 19.09.
- 2.2 <u>Defendants</u>. For purposes of this Consent Decree the term "Defendants" where not otherwise specified shall mean Timothy Rehberg, individually and as Founder and Director of I.C. Clean People, and I.C. Clean People.

## III. INJUNCTIONS

- 3.1 <u>Application of Injunctions</u>. The injunctive provisions of this Consent Decree shall apply to Defendants and Defendants' successors, assigns, officers, agents, servants, employees, representatives, and all other persons or entities in active concert or participation with Defendants.
- 3.2 <u>Notice</u>. Within five (5) business days of entry of this Decree, Defendants shall inform and give actual notice to all successors, assigns, transferees, officers, agents, servants, employees, representatives, attorneys and all other persons or entities in active concert or participation with Defendants, of the terms and conditions of this Consent Decree.
- 3.3 <u>Injunctions</u>. Defendants and their successors, assigns, transferees, officers, agents, servants, employees, representatives, and all other persons or entities in active concert or participation with Defendants are hereby permanently enjoined and restrained from the following:
  - a. Soliciting charitable contributions; and,
  - b. Forming or operating any charity or charitable organization.

## IV. MONETARY PAYMENT

- 5.1 Defendants shall pay to the Attorney General \$14,426. The Attorney General shall distribute no less than \$9,426.28 (the balance of I.C. Clean People's bank accounts as of March 17, 2016 when the accounts were closed) to one or more foreign or domestic tax-exempt nonprofit corporations to be used for the provision of clean, drug-free living environments for men and women recovering from alcohol and drug addiction. The Attorney General shall use the balance of the payment to recover for costs and reasonable attorney's fees incurred by the Attorney General in pursuing this matter, for monitoring of this Consent Decree, and for future enforcement of RCW 19.86, or for any lawful purpose in the discharge of the Attorney General's duties at the sole discretion of the Attorney General.
- 5.2 Payments owing pursuant to this Section IV shall be in the form of a valid check paid to the order of the "Attorney General State of Washington" and shall be due and owing as of entry of this Consent Decree. Payment shall be sent to the Office of the Attorney General, Attention: Cynthia Lockridge, Administrative Office Manager, 800 Fifth Avenue, Suite 2000, Seattle, Washington, 98104-3188.

## V. ENFORCEMENT

- 6.1 Violation of any of the injunctions contained in this Consent Decree, as determined by the Court, shall subject Defendants to a civil penalty pursuant to RCW 19.86.140.
- 6.2 This Consent Decree is entered pursuant to RCW 19.86.080. Jurisdiction is retained for the purpose of enabling any party to this Consent Decree with or without the prior consent of the other party to apply to the Court at any time for enforcement of compliance with this Consent Decree, to punish violations thereof, or to modify or clarify this Consent Decree.
- 6.3 Representatives of the Attorney General shall be permitted to access, inspect and/or copy relevant and discoverable business records or documents under control of Defendants in order to monitor compliance with this Consent Decree within fourteen (14) days of written request to Defendants, provided that the inspection and copying shall be done in such a way as to avoid disruption of Defendants' business activities.

1	6.4 Representatives of the Attorney General may be permitted to question Defendants,
2	or any officer, director, agent, employee or independent contractor of any corporation affiliated
3	with Defendants, in deposition, pursuant to the provisions and notice requirements of CR 30, in
4	order to monitor compliance with this Consent Decree.
5	6.5 Under no circumstances shall this Consent Decree or the name of the State of
6	Washington, the Office of the Attorney General, Consumer Protection Division, or any of their
7	employees or representatives be used by Defendants in connection with any selling, advertising,
8	or promotion of products or services, or as an endorsement or approval of Defendants' acts,
₹9	practices or conduct of business.
10	DONE IN OPEN COURT this day 2016.
11	COMMISSIONER
12	JACALYN D. BRUDVIK
13	JUDGE
14	Approved for Entry and Presented by:  Approved for Entry, Notice of Presentation Waived:
15	ROBERT W. FERGUSON LAW OFFICE OF GEORGE T. FREEMAN
16	Attorney General
17	SARAH SHIFLEY, WSBA #39394 GEORGE T PREPMAN, WSBA #30896
18	Assistant Attorney General Attorneys for Plaintiff  Attorneys for Plaintiff  Attorneys for Plaintiff
19	State of Washington
20	Fa · · · · · · · · · · · · · · · · · · ·
21	Perjamin J. Fresch, WSBA# 39960
22	
23	
24	
25	
26 ll	