

Office of Consumer Protection
Montgomery County, Maryland

IN RE THE MATTER OF:

Heroes United PAC d/b/a
"Volunteer Firefighters Association"

ASSURANCE OF VOLUNTARY COMPLIANCE AGREEMENT

Montgomery County, Maryland through its administrative agency, the Montgomery County Office of Consumer Protection (hereinafter referred to as "OCP"), and Heroes United PAC d/b/a "Volunteer Firefighters Association," and d/b/a "Association of Police & First Responders," and d/b/a www.HelpFirefighters.org (hereinafter collectively referred to as "HU") on this 28 day of October, 2019, enter into this Assurance of Voluntary Compliance Agreement (the "Agreement") pursuant to Chapter 11, Consumer Protection, of the Montgomery County Code, as amended.

I. Parties

1. OCP is an administrative agency of Montgomery County, Maryland responsible for the enforcement of Chapter 11, Consumer Protection, of the Montgomery County Code.
2. Eric S. Friedman is the Director of OCP and is authorized to sign this Agreement on behalf of OCP.
3. HU registered with the Federal Elections Commission on June 14, 2017 as a Political Action Committee (Identification Number C00647701) and listed Zachary Bass as the Treasurer, Custodian of Records, and Designated Agent. Matthew Greenlee has been identified as the HU Director. The mailing address for HU is 451 Hungerford Drive, Suite 119-339, Rockville, MD 20850; and 1629 K Street NW, Suite 300, Washington, D.C. 20006. Zachary Bass and Matthew Greenlee are jointly authorized to sign this Agreement on behalf of HU.

II. Facts

4. HU engaged in fundraising activity directly, and indirectly by paying vendors to engage in fundraising activity on behalf of HU in Montgomery County, Maryland.
5. Based upon information received from the Montgomery County Volunteer Firefighters & Responders Association (MCVFRA), and based upon information provided by consumers in Montgomery County, Maryland, and pursuant to Section 11-2(b)(1) of the Montgomery County Code, OCP initiated an investigation regarding acts and representations by HU and its vendors, which may have the "capacity, tendency, or effect of misleading consumers" (Case No. 19-OC-064678).
6. Consumers allege that they received telephone fundraising solicitation calls from HU and its vendors seeking monetary "donations" and "pledges" to support "Volunteer Firefighters." Consumers stated that these telemarketing callers engaged in telephone identification spoofing in which these calls deceptively appeared to be coming from area code locations in Montgomery County, Maryland. The consumers also stated that their telephone numbers were registered with the Federal Trade Commission's Do Not Call List.
7. HU does not operate or provide any services in Montgomery County, Maryland as a volunteer firefighters association. HU is an independent expenditure-only committee registered with the Federal Election Commission, Washington, D.C. 20463. HU's stated mission is to educate Members of Congress about issues important to fire fighters and emergency medical personnel, and to help elect candidates to office who support those issues. HU has not provided any payments to any political candidate in Maryland or to any volunteer firefighter association in Maryland.
8. HU denies any liability under the Montgomery County Code and entering this Agreement shall not constitute or be construed as an admission of liability whatsoever.

III. Agreement

9. HU hereby agrees to immediately and permanently cease and desist from making, directly or indirectly, any telephone, electronic or direct mail solicitations to any consumers in Montgomery County, Maryland.
10. HU has on file with the Federal Election Committee its list of donors pursuant to 11 CFR § 102.9 (52 U.S.C. 30102(c)).
11. Within thirty (30) calendar days from the date of this Agreement, HU shall provide the written offer for full refund attached hereto as Exhibit A sent via regular mail postage prepaid to all consumers in Montgomery County, Maryland who made a donation to HU

regardless of the amount, directly or indirectly, from June 14, 2017, to the date HU terminated all fundraising activity in Montgomery County, Maryland, at 451 Hungerford Drive, Suite 119-339, Rockville, MD 20850. HU shall provide a mailing list of all such individuals who shall receive said offer for full refund to OCP prior to mailing. HU shall provide a full refund to any consumer in Montgomery County, Maryland who requests a refund, regardless of the amount, within fourteen (14) calendar days of receiving such request.

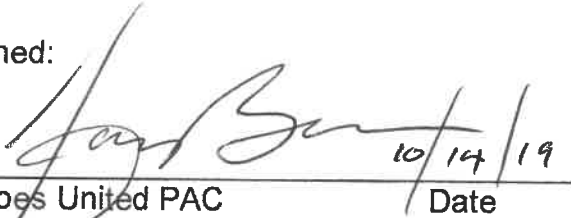
12. HU agrees to pay \$1,000 to OCP within ten (10) calendar days of the execution of this Agreement. The payment will be deposited and used for consumer education.

13. OCP accepts the consideration in the forgoing paragraphs as the sole consideration for the complete and total compromise and release of all claims against HU subject to Paragraph 15 below.

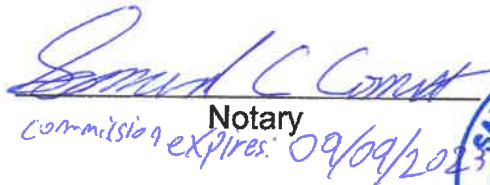
14. The parties acknowledge that the below signatures transmitted electronically or via facsimile shall be deemed the equivalent of original signatures, and that this Agreement may be executed in counterparts with each counterpart deemed an original.

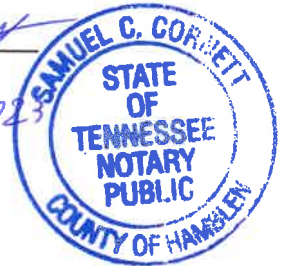
15. This Agreement is made pursuant to Chapter 11, Consumer Protection, of the Montgomery County Code, and any violation of this Agreement shall be considered a violation of Chapter 11 and subject to all of the remedies contained therein.

Signed:


10/14/19
Date

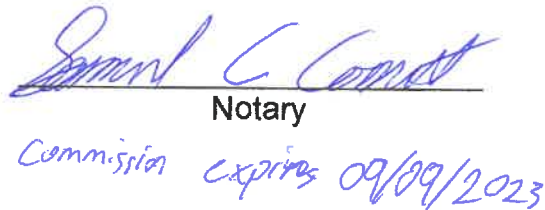
Heroes United PAC
BY:
Zachary Bass
Treasurer
Custodian of Records
Designated Agent

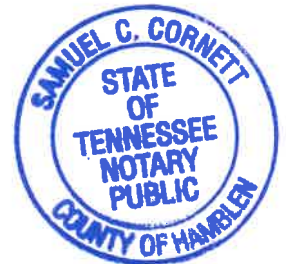

Notary
Commission expires: 09/09/2023




10/14/19
Date

Heroes United PAC
BY:
Matthew Greenlee
Director


Notary
Commission expires 09/09/2023



Eric S. Friedman

10-28-19

Date

Thanh Xuan Thi Huynh

Notary

10/28/19

Montgomery County Office
Of Consumer Protection

BY:

Eric S. Friedman
Director

THANH XUAN THI HUYNH
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES 12/10/23



VOLUNTEER FIREFIGHTERS ASSOCIATION

For more information call 202-855-7228 • www.HelpFirefighters.org

HEROES UNITED PAC

Date _____

Dear _____ [consumer]

We would like to thank you for your previous donation and the support of our national mission to educate Members of Congress about issues important to firefighters and emergency medical personnel and to help elect candidates to office who support those issues.

The Volunteer Firefighters Association, a program of Heroes United PAC has entered into an Assurance of Voluntary Compliance Agreement with the Montgomery County Office of Consumer Protection.

As a result of this agreement, Heroes United PAC would like to offer you a refund of your donation. If you would like to receive a refund, please detach the coupon below and return it in the envelope provided.

The mission of the Montgomery County Office of Consumer Protection is to enforce consumer protection laws prohibiting unfair and deceptive business acts or practices to ensure a fair marketplace for consumers and businesses. They can be reached at: 240.777.3636 or by email at ConsumerProtection@montgomerycountymd.gov

Thank you again for your support!

Sincerely,

MONTGOMERY



Heroes United PAC
Volunteer Firefighters Association
1629 K St. N.W. Suite 300
Washington D.C. 20006

Heroes United PAC
Volunteer Firefighters Association
1629 K St. N.W. Suite 300
Washington D.C. 20006

EXHIBIT A