SUMMONS - CIVIL

JD-CV-1 Rev. 9-08
C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a, 52-48, 52-259, P.B. Secs. 3-1 through 3-21, 8-1

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

See page 2 for instructions

☐ "X" if amount, legal interest or property in demand, not including interest and costs is less than $2,500.
☒ "X" if amount, legal interest or property in demand, not including interest and costs is $2,500 or more.
☐ "X" if claiming other relief in addition to or in lieu of money or damages.

TO: Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

Address of court clerk where writ and o her papers shall be filed *(Number, street, town and zip code)* *(C.G.S. §§ 51-346, 51-350)*	Telephone number of clerk *(with area code)*	Return Date *(Must be a Tuesday)*
95 Washington Street, Hartford, CT 06106	(860) 548-2700	June (Month) 23 (Day), 2 009 (Year)

☒ Judicial District ☐ Housing Session ☐ G.A. Number:	At *(Town in which writ is returnable) (C.G S. §§ 51-346, 51-349)* Hartford	Case type code *(See list on page 2)* Major: M Minor: 90

For the Plaintiff(s) please enter the appearance of:

Name and address of attorney, law firm or plaintiff if self-represented *(Number, street, town and zip code)*	Juris number *(to be entered by attorney only)*
Thomas M. Fiorentino, AAG, Office of Attorney General, 55 Elm Street, Hartford, CT 06106	085009

Telephone number *(with area code)*	Signature of Plaintiff *(If self-represented)*
(860) 808-5020	

Number of Plaintiffs: 1 | Number of Defendants: 1 | ☐ Form JD-CV-2 attached for additional parties

Parties	Name *(Last, First, Middle Initial)* and Address of Each party *(Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)*	
First Plaintiff	Name: State of Connecticut Address: c/o Office of Attorney General, 55 Elm Street, Hartford, CT 06106	P-01
Additional Plaintiff	Name: Address:	P-02
First Defendant	Name: Associated Community Services, Inc. Address: 29777 Telegraph Road, Suite 3000, Southfield, MI 48034	D-50
Additional Defendant	Name: Address:	D-51
Additional Defendant	Name: Address:	D-52
Additional Defendant	Name: Address:	D-53

Notice to Each Defendant

1. **YOU ARE BEING SUED.** This paper is a Summons in a lawsuit. The complaint attached to these papers states the claims that each plaintiff is making against you in this lawsuit.
2. To be notified of further proceedings, you or your attorney must file a form called an "Appearance" with the clerk of the above-named Court at the above Court address on or before the second day after the above Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to come to court.
3. If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default. The "Appearance" form may be obtained at the Court address above or at *www.jud.ct.gov* under "Court Forms."
4. If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately contact your insurance representative. Other action you may have to take is described in the Connecticut Practice Book which may be found in a superior court law library or on-line at *www.jud.ct.gov* under "Court Rules."
5. If you have questions about the Summons and Complaint, you should talk to an attorney quickly. **The Clerk of Court is not allowed to give advice on legal questions.**

Signed *(Sign and "X" proper box)*	☒ Commissioner of the Superior Court ☐ Assistant Clerk	Name of Person Signing at Left	Date signed
Thomas M. Fiorentino		AAG Thomas M. Fiorentino	05/11/2009

If this Summons is signed by a Clerk:
a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts.
b. It is the respons bility of the Plaintiff(s) to see that service is made in the manner provided by law.
c. The Clerk is not permitted to give any legal advice in connection with any lawsuit.
d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service of the Summons or Complaint.

For Court Use Only

File Date

I certify I have read and understand the above:	Signed *(Self-Represented Plaintiff)*	Date

Name and address of person recognized to prosecute in the amount of $250
N/A - Plaintiff is the State of Connecticut

Signed *(Official taking recognizance; "X" proper box)*	☐ Commissioner of the Superior Court ☐ Assistant Clerk	Date	Docket Number

RETURN DATE: JUNE 23, 2009

STATE OF CONNECTICUT	:	SUPERIOR COURT
	:	
	:	JUDICIAL DISTRICT OF HARTFORD
v.	:	
	:	
ASSOCIATED COMMUNITY SERVICES, INC.	:	
	:	

COMPLAINT

FIRST COUNT

1. Plaintiff is the State of Connecticut represented by Richard Blumenthal, Attorney General, acting at the request of Jerry Farrell, Jr., Commissioner of Consumer Protection, pursuant to Chapter 419d of the Connecticut General Statutes, and more particularly Conn. Gen. Stat. §21a-190l(b).
2. The defendant, Associated Community Services, Inc. ("ACS"), is a Michigan corporation that at all times relevant herein was registered as a paid solicitor with the Connecticut Department of Consumer Protection ("DCP") pursuant to Conn. Gen. Stat. Sec. 21a-190f(a).
3. At all times relevant herein, Firefighters Support Services Inc. was registered as a charitable organization with DCP pursuant to Conn. Gen. Stat. Sec. 21a-190b.
4. Beginning on or around November 19, 2007 and continuing to the present time, ACS conducted a solicitation campaign on behalf of Firefighters Support Services, Inc. in Connecticut.
5. Conn. Gen. Stat. Sec. 21a-190f(f) states in relevant part:

> A paid solicitor shall, in the case of a solicitation campaign conducted orally, whether by telephone or otherwise, send a written confirmation to each person who has pledged to contribute,

> no more than five days after such person has been solicited, which confirmation shall include a clear and conspicuous disclosure of the information required by subsection (e) of this section.

Conn. Gen. Stat. Sec 21a-190f(e) requires, *inter alia*, the disclosure of "such solicitor's name as on file with the department, [and] the fact that such solicitor is a paid solicitor."

6. ACS utilized written confirmations in Connecticut that did not clearly and conspicuously disclose its name as on file with the department and the fact that it was a paid solicitor.

7. ACS's conduct as set out herein constitutes a violation of Conn. Gen. Stat. Sec. 21a-190f(f) and is a prohibited act pursuant to Conn. Gen. Stat. Sec. 21a-190h(11), which states that it is a violation of the Solicitation of Charitable Funds Act for "any person to fail to comply with the requirements of sections 21a-190b to 21a-190g, inclusive."

SECOND COUNT

1-7. Paragraphs 1-7 of Count One are incorporated herein as Paragraphs 1-7 of Count Two.

8. Conn. Gen. Stat. Sec. 21a-190l(d) states that a willful violation of Conn. Gen. Stat. Sec. 21a-190h occurs "when the party committing the violation knew of should have known that such conduct was prohibited by section 21a-190h."

9. The defendant`s conduct as alleged herein constitutes a willful violation of Conn. Gen. Stat. Sec. 21a-190h(11).

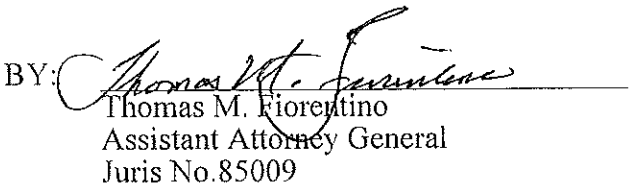
DEMAND FOR RELIEF

Wherefore, the plaintiff claims the following relief:

1. An order pursuant to Conn. Gen. Stat. Sec. 21a-190l(b) enjoining the defendant's violations of law as alleged herein;
2. An order, pursuant to Conn. Gen. Stat. Sec. 21a-190l(d) directing the defendant to pay civil penalties in the amount of Two Thousand Five Hundred dollars ($2,500) for each and every willful violation of Conn. Gen. Stat. Sec. 21a-190h(11);
3. Such other relief as the Court deems appropriate.

The amount, legal interest or property in demand is more than $15,000 exclusive of interest and costs.

PLAINTIFF
STATE OF CONNECTICUT

BY: 

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STATE OF CONNECTICUT}
} SS: HARTFORD, MAY 18, 2009
COUNTY OF HARTFORD }

Then and by virtue hereof on the 18th day of May, 2009, I made due and legal service on the within named Defendant, **ASSOCIATED COMMUNITY SERVICES, INC.**, by depositing at the Post Office in Hartford, postage paid and certified, return receipt requested, a verified true and attested copy of the within original **Writ, Summons Complaint and Demand For Relief,** with my doings thereon endorsed, addressed to the within named Defendant, **Associated Community Services, Inc.,** c/o The Secretary, 29777 Telegraph Road, Suite 3000, Southfield, MI 48034. (C.G.S. 33-929)

SUPPLEMENTAL RETURN TO FOLLOW

The within is the original **Writ, Summons Complaint and Demand For Relief,** with my doings hereon endorsed.

FEES:

Pages	$ 4.00
Endorsements	1.20
Service	30.00
Travel	1.49
Postage	5.71
Total	$ 42.40

ATTEST:

JOSEPH MUSUMECI
STATE MARSHAL
HARTFORD COUNTY