

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

OFFICE OF THE ATTORNEY GENERAL,
STATE OF FLORIDA,
DEPARTMENT OF LEGAL AFFAIRS

Plaintiff,

v.

Case No. _____

LLPS, INC., ANS, INC.,
STEVEN FATA, and JOE FATA.

Defendants.

_____ /

COMPLAINT

Plaintiff, OFFICE OF THE ATTORNEY GENERAL, STATE OF FLORIDA, DEPARTMENT OF LEGAL AFFAIRS (“the Attorney General”) sues Defendants, LLPS, Inc., ANS, INC., STEVEN FATA, and JOE FATA, and alleges:

1. This is an action for restitution, disgorgement of ill-gotten gains, civil penalties, injunctive relief, attorney’s fees and costs, and other legal and equitable relief pursuant to the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (2018) (“FDUTPA”), and Florida’s Government Impostor and Deceptive Advertisements Act, section 817.417, Florida Statutes (2018).

PARTIES AND JURISDICTION

2. The Attorney General is an enforcing authority of FDUTPA.

3. The Attorney General has determined that an enforcement action serves the public interest as required by section 501.207(2), Florida Statutes (2018).

4. This Court has jurisdiction pursuant to section 501.207(1)(b), Florida Statutes (2018).

5. LLPS, Inc. (“LLPS”) is a Michigan corporation registered as a foreign corporation with the Florida Division of Corporations, with its registered office located at 6323 W. SAGINAW HWY., SUITE E, LANSING, MI 48917, and does business under the name Florida Council for Corporations. Prior to December 2017 when the name of the corporation was changed, LLPS was a Michigan corporation called The Mandatory Poster Agency, Inc.

6. Defendant JOE FATA is an individual resident of the State of Michigan. At all times material hereto, JOE FATA has served as LLPS’s President, Treasurer, and Director. JOE FATA previously entered into an Assurance of Voluntary Compliance with the Attorney General for deceptive practices related to a similar scheme.

7. ANS, INC. (“ANS”) is a Michigan corporation located at 7521 Westshire Drive, Suite 100, Lansing, MI 48917. ANS is registered as a foreign corporation with the Florida Division of Corporations with its registered office in

Florida located at 7718 NORTHPORT DRIVE, LANSING, MI. 48917, and does business under the name Florida Assumed Name Services.

8. Defendant STEVEN FATA is an individual resident of the State of Michigan, who has also owned property in Collier County, Florida since 2013. At all times material hereto, STEVEN FATA has served as the President and is the only corporate officer of ANS. STEVEN FATA previously entered into an Assurance of Voluntary Compliance with the Attorney General for deceptive practices related to a similar scheme. STEVEN FATA and JOE FATA are brothers.

9. The injurious actions of the Defendants affect consumers in judicial circuits throughout Florida, including the Second Judicial Circuit. Venue is proper in this Court under sections 47.011 and 47.051, Florida Statutes (2018) because the Defendants conducted business and received monies from consumers in Leon County, Florida when the cause of action alleged herein arose.

10. Pursuant to sections 95.11(3) and 501.207(5), Florida Statutes (2018), all of the acts, practices, occurrences, and transactions upon which this Complaint is based occurred within four (4) years of the filing of the Complaint.

11. At all times material to this Complaint, the Defendants solicited the purchase of goods and services by consumers as defined in section 501.203(7), Florida Statutes (2018).

12. At all times material to this Complaint, the Defendants engaged in trade or commerce as defined in section 501.203(8), Florida Statutes (2018).

SUMMARY OF THE CASE

13. Over the past four years, the Defendants have engaged in three overlapping schemes that involve mailing solicitations under the names Florida Council for Corporations, Florida Assumed Name Services, and Workplace Compliance Services to businesses throughout the State of Florida. The Defendants solicited payments for these schemes by giving businesses the false impression that paying for the Defendants' services was required by law. The Defendants' solicitations appear to come from a government entity, and many recipients reasonably believe that they are required to and did - in fact - send payments to the Defendants in order to comply with state or federal law. In reality, the "services" offered by the Defendants are not in fact being offered by a governmental entity through these solicitations, do not meet legal requirements in at least one instance, and are either entirely optional or can be completed online for a much lower price.

14. In the first scheme, LLPS, acting through a Florida "fictitious name" entity called Florida Council for Corporations ("FCFC") sends mailings soliciting payments from Florida businesses for "annual records." LLPS charges recipients of the mailings up to \$150.00 for corporate records which do not satisfy the State of

Florida's requirement that businesses file an "annual report" with the Florida Division of Corporations ("Division").

15. In the second scheme, ANS, acting through a Florida "fictitious name" entity called Florida Assumed Name Services ("FANS") sends mailings soliciting payments from Florida businesses for renewing the business's "fictitious name." ANS charges recipients of the mailings \$125.00 to renew a fictitious name, which Florida businesses are able to do themselves on the Division's website for \$50.00.

16. In the third scheme, ANS, acting through a Michigan "fictitious name" entity called Workplace Compliance Services ("WCS"), sends mailings soliciting payments from Florida limited liability companies of \$238.75 to file the annual report required by Florida law to be filed on behalf of limited liability companies doing business in Florida. The actual fee charged by the Division for annual report filings by LLCs is \$138.75 and can be completed online.

17. LLPS and ANS send these solicitations to thousands of Florida businesses and receive hundreds of thousands of dollars in payments from businesses who mistakenly believe that the solicitations have been sent by a state agency or department based upon the misleading design and content of the solicitations.

18. In light of these facts, which are detailed below, the Attorney General brings this action to halt the Defendants' deceptive practices and to require the

Defendants to relinquish the ill-gotten gains that they obtained through these practices.

THE DEFENDANTS' COURSE OF CONDUCT

19. The Defendants operate together and separately in these schemes which center around mailing solicitations to businesses throughout the state of Florida. The Defendants' solicitations target various businesses and appear to originate from a government entity.

"Annual Records" Scheme

20. Defendant JOE FATA, acting through and on behalf of Defendant LLPS and its fictitious name entity, FCFC, sends solicitations to Florida businesses for "Annual Records." Although the exact wording of the solicitations change over time, an example of one of FCFC's solicitations is attached hereto as Exhibit A. The Division requires Corporations and Limited Liability Companies (LLCs) to file an annual *report* (not records or minutes) on a yearly basis. Businesses send payments to FCFC because they believe they are paying the State of Florida to meet the annual report requirement.

21. In actuality, the filing of corporate minutes does not satisfy the Division's annual report requirement. Many consumers do not realize they have paid for a product that is not required by the Division until they later receive a notice from

the Division that their annual report is due. They then discover they are required to send an additional payment to the Division.

22. FCFC charges recipients of the mailings up to \$150.00 for annual records which are not required to be filed with the Division.

23. FCFC's solicitation for "annual records" requests that businesses send the completed form with payment included to 400 Capital Circle SE, Suite 18 #309, Tallahassee, FL 32301, with checks made payable to FCFC.

24. FCFC's solicitations are deceptive on their face and employ a variety of devices to give recipients the impression that the documents originate from a government agency or department and that "annual records" must be filed with the Division. These devices include but are not limited to:

- a. a "corporation number" and "incorporation date" accurately reflecting the date that the corporation registered with the Division and the number assigned to the corporation by the Division, giving the impression that the solicitation is an official government document;
- b. use of the words "BUSINESS MAIL – TIME SENSITIVE" on the envelope by which the solicitation is mailed, giving the impression that a response is necessary and urgent;
- c. the company name of Florida Council for Corporations;

- d. language such as “Submit...for preparation of documents to satisfy the annual corporate records for your corporation”;
- e. official-sounding language such as “IMPORTANT! FOLLOW INSTRUCTIONS EXACTLY WHEN COMPLETING THIS FORM. PLEASE PRINT”; and
- f. detailed instructions on completing the form, which includes asking the recipient to provide the names of each of the corporation’s stockholders, directors, and officers;

“Fictitious Names” Scheme

25. In the second scheme, STEVEN FATA, acting through and on behalf of Defendant ANS and its fictitious name, FANS, sends official-looking documents to Florida businesses soliciting payments of \$125 for renewal or cancellation of “Fictitious Names.” An example of one of FANS’ solicitations is attached hereto as Exhibit B. The Division requires businesses to register fictitious names and renew them every five years.

26. These solicitations give Florida businesses the impression that they originate from a government entity, and that the Division requires the recipients to send payments to FANS to renew their fictitious name.

27. FANS charges recipients \$125.00 to renew a fictitious name, whereas the Division charges the significantly lower amount of \$50.00 for a renewal and allows businesses to accomplish this quickly on line through the Division's website.

28. Thousands of businesses have responded to FANS' solicitations by sending payment to FANS. Consumers are instructed to make their payments out to "Florida Assumed Name Services", and send them to 1700 North Monroe Street, # 11-209, Tallahassee, FL 32303. Since 2016, the Division has received at least 11,512 requests from FANS to renew fictitious names.

29. FANS's solicitations are deceptive on their face and employ a variety of devices to give recipients the impression that the documents are from a Florida state government agency or department and that the requirement to renew their fictitious names can only be met by sending payments to FANS. These devices include but are not limited to:

- a. a "registration number" and "registration date" accurately reflecting the date that the fictitious name registered with the Division and the number assigned to the registration by the Division, giving the impression that the solicitation is an official government document;
- b. the words "FICTITIOUS NAME INSTRUCTION FORM" stamped on the top of the document;

- c. use of the same document format as the official Division of Corporations “Instructions for Renewal of Fictitious Name”;
- d. official-sounding language such as “IMPORTANT! FOLLOW INSTRUCTIONS EXACTLY WHEN COMPLETING THESE FORMS.”;
- e. the words “services necessary”, “State records indicate”, and “requirements of Florida Law”, giving the perception that this is a government entity and a response is required by law;
- f. the words “Please Respond By:” and “Please respond today”, giving the impression that consumers must urgently respond to these solicitations; and
- g. the attachment of the actual fictitious name renewal form used by the Division attached as the second page of the solicitation.

“Annual Report” Scheme

30. In the third scheme, STEVEN FATA, acting through and on behalf of Defendant ANS and its fictitious name, Workplace Compliance Services (“WCS”), sends official-looking documents to Florida limited liability companies (“LLCs”) soliciting payments for filing the annual report required by the Division to be filed by LLCs. An example of one of WCS’s solicitations is attached hereto as Exhibit C.

31. These solicitations give Florida businesses the impression that they originate from a government entity, and that the Division requires the recipients to send payments to WCS to file their annual reports.

32. WCS charges recipients \$238.75 to file an annual report, whereas the Division charges the significantly lower amount of \$138.75 for the filing of an LLC's annual report and allows businesses to accomplish this quickly on line through the Division's website.

33. Consumers are instructed to make their payments out to "Workplace Compliance Services", and send them to 1700 North Monroe Street, # 11-209, Tallahassee, FL 32303.

34. The mailings of WCS are deceptive on their face and employ a variety of devices to give recipients the impression that the documents are from a state agency or department and that the requirement to file their annual report can only be met by sending payments to WCS. These devices include but are not limited to:

- a. a "customer ID number" giving the impression that the solicitation is an official government document;
- b. a "document number" and "formation date" that accurately reflect the date that the LLC was formed by filing with the Division and the document number assigned to that LLC by the Division;

- c. a “FEI/EIN Number” that accurately reflects the employer ID number given to that business by the Internal Revenue Service;
- d. the words “ANNUAL REPORT INSTRUCTION FORM” stamped on the top of the document;
- e. official-sounding language such as “IMPORTANT! FOLLOW INSTRUCTIONS EXACTLY WHEN COMPLETING THIS FORM.”;
- f. the words “Florida laws require every limited liability company authorized to transact business in the State to timely file an annual report every year. If [name of business] does not file an annual report in the applicable filing period, you may be at risk for penalties and fines” giving the perception that WCS is a government entity and a response is required by law;
- g. the words “Please Respond By:” and “please respond today”, giving the impression that consumers must urgently respond to these solicitations; and
- h. the use of a Tallahassee, Florida mailing address and telephone number with an 850 area code for WCS.

**COUNT ONE AGAINST ALL DEFENDANTS--
FLORIDA DECEPTIVE AND UNFAIR TRADE PRACTICES ACT
CHAPTER 501, PART II, FLORIDA STATUTES**

35. The Attorney General re-alleges and incorporates by reference Paragraphs 1 through 34.

36. Section 501.204(1) of the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (2018) states that “unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.”

37. Any entity that willfully engages in a deceptive or unfair act or practice is liable for a civil penalty of up to \$10,000 for each such violation (up to \$15,000 for each violation involving senior citizens, veterans or members of their families, or disabled persons). Each mailed solicitation may be considered to be a separate violation. Willful violations occur when the entity knew or should have known that the conduct in question was deceptive or unfair or prohibited by rule. Fla. Stat. §§ 501.2075 and 501.2077 (2018).

38. Defendant STEVEN FATA directs or controls, has the authority to direct or control, or personally participated in the deceptive or unfair acts or practices engaged in by ANS that are alleged herein.

39. Defendant JOE FATA directs or controls, has the authority to direct or control, or personally participated in the deceptive or unfair acts or practices engaged in by LLPS that are alleged herein.

40. Defendants LLPS, ANS, STEVEN FATA, and JOE FATA engaged in deceptive, unfair, or unconscionable acts that include but are not limited to creating, preparing, mailing, and seeking payment from consumers in connection with documents that appear to be official documents originating from a state agency or department.

41. Defendants LLPS, ANS, STEVEN FATA, and JOE FATA engaged in deceptive, unfair, or unconscionable acts that include but are not limited to seeking payment from Florida businesses in connection with representations that the businesses need to respond to the mailings to comply with Florida law.

42. By undertaking the activities alleged in Paragraphs 11 through 34 herein, the Defendants engaged in representations, acts, practices, or omissions which are material, and which are likely to mislead consumers acting reasonably under the circumstances.

43. By undertaking the activities alleged in Paragraphs 11 through 34 herein, the Defendants engaged in acts and practices that offend established public policy and are unethical, oppressive, unscrupulous, or substantially injurious to consumers; or are likely to cause substantial injury to consumers that were not reasonably avoidable by consumers themselves and are not outweighed by countervailing benefits to consumers or competition.

44. Consumers have suffered injury and harm as a direct result of the Defendants' unlawful acts that violated FDUTPA.

45. Section 501.207(6), Florida Statutes (2018) authorizes the Attorney General to terminate a FDUTPA investigation by accepting a person's written assurance of voluntary compliance with the statute. In 2002, the Attorney General accepted such a written assurance of voluntary compliance from JOE FATA and STEVEN FATA, terminating an investigation of a scheme similar to the schemes alleged herein involving solicitations to consumers to purchase "workplace posters" evidencing compliance with state and federal labor statutes.

46. In the assurance of voluntary compliance ("AVC") executed by JOE FATA and STEVEN FATA in 2002, JOE FATA and STEVEN FATA agreed that they would not use a solicitation or advertisement that could have the tendency or capacity to mislead consumers into believing that the solicitation was sent by or on behalf of a government agency. A true and correct copy of the 2002 AVC signed by Defendants JOE FATA and STEVEN FATA is attached hereto as Exhibit D.

47. As a result of the previous investigation by the Attorney General that resulted in the signing of an AVC by Defendants JOE FATA and STEVEN FATA in 2002, the Defendants knew or should have known that their conduct alleged herein was deceptive or unfair and thereby violated FDUTPA.

**COUNT TWO AGAINST ALL DEFENDANTS
GOVERNMENT IMPOSTOR AND DECEPTIVE ADVERTISEMENTS
ACT, SECTION 817.417, FLORIDA STATUTES
FLORIDA DECEPTIVE AND UNFAIR TRADE PRACTICES ACT
CHAPTER 501, PART II, FLORIDA STATUTES**

48. The Attorney General re-alleges and incorporates by reference Paragraphs 1 through 34.

49. Florida's Government Impostor and Deceptive Advertisements Act, section 817.417, Florida Statutes (2018) ("Impostor Act") became effective on July 1, 2018. The Impostor Act prohibits, among other things, sending any solicitation or advertisement that may reasonably cause consumer confusion that the solicitation originates from or is associated with a government agency or department

50. LLPS, JOE FATA, ANS and STEVEN FATA, acting by and through FCFC, FANS, and WCS, violated section 817.417(4)(a)(2), Florida Statutes (2018) by employing solicitations sent to consumers after July 1, 2018 that implied or reasonably caused confusion in such consumers regarding whether FCFC, FANS, or WCS were a part of or associated with a Florida state government entity.

51. LLPS, JOE FATA, ANS, and STEVEN FATA, acting by and through FCFC, FANS, and WCS, violated section 817.417(4)(b), Florida Statutes (2018) by employing solicitations sent to consumers that implied or reasonably caused confusion in such consumers regarding whether the solicitations sent by FCFC, FANS, and WCS, or the services provided by FCFC, FANS, and WCS had been

approved, authorized, or endorsed, in whole or in part, by a Florida state government entity when such was not true.

52. LLPS, JOE FATA, ANS, and STEVEN FATA, acting by and through FCFC, FANS, and WCS, violated section 817.417(4)(c), Florida Statutes (2018) by sending solicitations to consumers that included language, symbols, logos, statements, titles, names, seals, emblems, insignia, business or tracking numbers, websites, or email addresses that implied or reasonably caused confusion in consumers regarding whether FCFC, FANS, or WCS's solicitations, or the services provided by FCFC, FANS, or WCS, or the offer to provide services by FCFC, FANS, or WCS were from a Florida state government entity.

53. The Impostor Act further requires that solicitations subject to the Act include the following disclosure:

“IMPORTANT NOTICE:

You are NOT required to purchase anything from this company and the company is NOT affiliated, endorsed, or approved by any governmental entity. The item offered in this advertisement has NOT been approved or endorsed by any governmental agency, and this offer is NOT being made by an agency of the government.”

54. LLPS, JOE FATA, ANS, and STEVEN FATA, acting by and through FCFC, FANS, and WCS, violated sections 817.417(4)(d) and (6)(a), Florida Statutes (2018) by sending solicitations to consumers that failed to contain the written notice

required by section 817.417(6)(a) Florida Statutes (2018) on the outside front of the mailing envelope used to send the solicitations or at the top of the solicitation.

55. At all times material hereto, Defendant JOE FATA directed or controlled, had the authority to direct or control, or personally participated in the unlawful acts and practices engaged in by LLPS and FCFC.

56. At all times material hereto, Defendant STEVEN FATA directed or controlled, had the authority to direct or control, or personally participated in the unlawful acts or practices engaged in by ANS, FANS, and WCS.

57. By and through their actions and conduct that failed to comply with section 817.417(4), Florida Statutes (2018), Defendants LLPS, JOE FATA, ANS, and STEVEN FATA violated FDUTPA, sections 501.203(3)(c) and 501.204(1), Florida Statutes (2018).

58. Consumers have suffered and continue to suffer harm and injury as a direct result of the Defendants' unlawful acts and practices that violated FDUTPA.

59. Defendants LLPS, JOE FATA, ANS, and STEVEN FATA knew or should have known that their conduct violating section 817.417(4), Florida Statutes (2018) was deceptive or unfair.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Office of the Attorney General, State of Florida, Department of Legal Affairs, respectfully requests that this Court:

(a) Temporarily and permanently enjoin Defendants LLPS, ANS, STEVEN FATA, and JOE FATA from violating the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes, and the Government Impostor and Deceptive Advertisements Act, Section 817.417, Florida Statutes (2018) through the mailing of solicitations that could reasonably be interpreted as originating from or offering a service provided by a government agency and that do not contain the disclosures required by the Florida Government Impostor and Deceptive Advertisements Act;

(b) Order Defendants LLPS, ANS, STEVEN FATA, and JOE FATA to disgorge all revenues and monies received by them from consumers who responded to their misleading solicitations;

(c) Order Defendants LLPS, ANS, STEVEN FATA, and JOE FATA, jointly and severally, to fully reimburse every consumer who paid them money in response to their deceptive, unfair, unconscionable, or unlawful business practices;

(d) Order Defendants LLPS, ANS, STEVEN FATA, and JOE FATA, jointly and severally, to pay civil penalties pursuant to sections 501.2075 and 501.2077, Florida Statutes (2018);

(e) Award the Attorney General reasonable attorney's fees and costs pursuant to section 501.2075, Florida Statutes (2018); and

(f) Grant such other relief as this Court deems just and proper, including equitable relief pursuant to section 501.207(3), Florida Statutes (2018).

Dated March 6, 2019

Respectfully submitted,

**ASHLEY MOODY,
ATTORNEY GENERAL**

/s/ Steven Gard

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Exhibit A

INSTRUCTIONS FOR COMPLETING THE ANNUAL RECORDS SOLICITATION FORM
(Florida Corporations)

Review the accuracy of the preprinted corporate name and address and make any changes necessary.
PLEASE PRINT CLEARLY.

- Step 1 Verify the name of each stockholder. You must account for 100% of the outstanding shares. Any changes may be indicated on reverse of the form.
- Step 2 Verify the name of all members of the Board of Directors. Members of the Board of Directors must be at least 18 years of age. Any changes may be indicated on reverse of the form.
- Step 3 Verify the title of an officer and the name of the officer. You must have at least one officer. Typical officers are Chief Executive Officer (CEO), President, Vice President, Secretary, Assistant Secretary, Chief Financial Officer (CFO), Treasurer, Chief Operations Officer (COO). In addition, list any other corporate officers. Any changes may be indicated on reverse of the form.
- Step 4 Verify the name, email address and phone number of the person to contact if we have any questions. Any changes may be indicated on reverse of the form.
- Step 5 Provide a valid payment method.
- Step 6 Sign the form to verify the validity of information provided and authorize your payment.
- Step 7 Return the entire completed form with payment.

Submit the Annual Records Solicitation Form together with the payment for preparation of documents to satisfy the annual corporate records for your corporation. **Submit a check for \$150.00 payable to Florida Council for Corporations and mail to:**

FLORIDA COUNCIL FOR CORPORATIONS
400 Capital Circle SE, Suite 18 #309
Tallahassee, FL 32301-3839
(888) 408-0886

Completed documents will be mailed to you within four weeks. Have each shareholder and director sign the documents where indicated and keep them as permanent records.

Maintaining records is important to the existence of all corporations. Of particular importance are records of shareholders and director actions. You can engage an attorney to prepare the documents, prepare them yourself, use some other service company or use our service.

Please note: The preparation of annual corporate records does not satisfy the requirement to file the annual report required by Florida Business Corporations Act 607.1622. The annual report and instructions may be found online.

Exhibit B

2019 - FICTITIOUS NAME INSTRUCTION FORM

(Florida Businesses)

IMPORTANT! FOLLOW INSTRUCTIONS EXACTLY WHEN COMPLETING THIS FORM. PLEASE PRINT.

Customer ID Number F64820479	Notice Date 2/20/19	Registration Number [REDACTED]	Date of Registration 9/30/2009
Business Address 56473-791-243*****AUTO**5-DIGIT 32303 [REDACTED] [REDACTED]			
[REDACTED]			
[REDACTED]			Please Respond By: 3/15/19

State of Florida records indicate that your fictitious name [REDACTED] is due for renewal in 2019. If the name is still in use, Florida Assumed Name Services will provide the services necessary to renew the name [REDACTED] in accordance with the requirements of Florida Law: Fictitious Name Act, F.S. §865.09 and Florida Business Corporation Act, F.S. §607.1402.

FLORIDA ASSUMED NAME SERVICES IS NOT A GOVERNMENT AGENCY AND DOES NOT HAVE A CONTRACT WITH ANY GOVERNMENTAL AGENCY TO PROVIDE THIS SERVICE.

To utilize this service, follow the directions below. Your information will be kept confidential and will not be disclosed to third parties, unless required by law. Mail the completed forms with **\$145 for renewal** to Florida Assumed Name Services in the enclosed envelope. **Please respond today!**

INSTRUCTIONS FOR RENEWAL OF FICTITIOUS NAME

Please review the accuracy of the preprinted business name and address on the **Application for Renewal of Fictitious Name**.

- Block 1:** The fictitious name, registration number, and mailing address as it was originally registered.
- Block 2:** If the mailing address in Block 1 is incorrect, enter the correct mailing address in Block 2.
- Block 3:** The county of the principal place of business.
- Block 4:** The date on which the fictitious name was originally registered.
- Block 6:** The fictitious name owner(s), their addresses, and document number or Federal Employer Identification (FEI) number if applicable. **If the owner is a corporation or LLC, it must be active.**
- Block 7:** Changes or additions to the owner(s) must be typed or printed legibly in ink in Block 7.
- Block 8:** This renewal must be signed in Block 8 with an original signature by at least one owner that is listed in Block 6 or Block 7.

To ensure your renewal is processed properly, please enclose both forms with signature on both forms.

PAYMENT INFORMATION

- \$145 – Renew fictitious name. CHECK OR MONEY ORDER ENCLOSED

Please make your check payable to:

FLORIDA ASSUMED NAME SERVICES
1700 North Monroe Street, #11-209
Tallahassee, FL 32303

Further assistance:
Call (850) 390-4666
M-F 9am - 5pm EST

SIGNATURE By signing this document, I authorize Assumed Name Services to process my fictitious name renewal electronically on my behalf. I understand that Florida Assumed Name Services is not a government agency and is not providing legal advice.

Signature	Print Name Clearly	
Email Address	Phone Number	Date

↓ FOR OFFICE USE ONLY ↓

Check #: Amt: Cert:
CIN: F64820479 Order: Conf:

Please Respond By
3/15/19

© Assumed Name Services

Exhibit C

2019 – ANNUAL REPORT INSTRUCTION FORM

(Florida LLCs)

IMPORTANT! FOLLOW INSTRUCTIONS EXACTLY WHEN COMPLETING THIS FORM. PLEASE PRINT.			
Customer ID Number F42851992	Notice Date 1/4/2019	Document Number [REDACTED]	Formation Date 11/20/2015
Business Address <div style="display: flex; justify-content: space-between; align-items: center;"> 29116-299-116**AUTO**SCH 5-DIGIT 33444 </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 20px;"> <div style="border: 1px solid black; padding: 5px; text-align: center;"> Please Respond By: 02/01/2019 </div> </div>			

Florida laws require every limited liability company authorized to transact business in the State to timely file an annual report every year. If [REDACTED] does not file an annual report in the applicable filing period, you may be at risk for penalties and fines.

FLA. STAT. ANN. § 605.0212(1): "A limited liability company or a registered foreign limited liability company shall deliver to the department for filing an annual report..."

If the business entity is still in use, Workplace Compliance Services, a private entity, will assist for a fee in the filing of your annual report.

WORKPLACE COMPLIANCE SERVICES IS NOT A GOVERNMENT AGENCY AND DOES NOT HAVE A CONTRACT WITH ANY GOVERNMENTAL AGENCY TO PROVIDE THIS SERVICE.

To utilize this service, follow the steps below. Workplace Compliance Services will not disclose any information about your business to any third-party, including competitors, unless required by law. Mail the completed form with \$238.75 in the enclosed envelope. **Please respond today!**

STEP 1. Verify the accuracy of the pre-printed business information. Make any necessary changes and complete any missing information.			
FEI / EIN Number [REDACTED]	Formation Date 11/20/2015	Filing Year 2019	
Main Business or Headquarters Address [REDACTED]			

STEP 2. Provide the name, title and address of each director and officer.	
Name [REDACTED]	Title AMBR
Address [REDACTED]	
Name	Title
Address	
Name	Title
Address	
Name	Title
Address	

STEP 3. Registered Agent (make changes where necessary)	
Registered Agent Name [REDACTED]	
Registered Agent Address [REDACTED]	

STEP 4. PAYMENT INFORMATION Complete payment to file your annual report.		
<input type="checkbox"/> CHECK ENCLOSED FOR \$238.75 <i>Price includes state fee and WCS processing fee.</i>	Please make your check payable to: WORKPLACE COMPLIANCE SERVICES 1700 North Monroe Street, #11-209 Tallahassee, FL 32303	Further assistance: Call (850) 203-4181

STEP 5. I authorize an electronic signature on behalf of the limited liability company. I understand that Workplace Compliance Services is not a government agency & is not providing legal advice.	
Signature (to be signed by an officer or registered agent) **REQUIRED**	Date
Email	Phone

Exhibit D

**STATE OF FLORIDA
OFFICE OF THE ATTORNEY GENERAL**

IN THE MATTER OF:

**THE MICHIGAN MANDATORY
POSTER AGENCY, INC.
d/b/a THE FLORIDA MANDATORY
POSTER AGENCY; STEVEN J. FATA,
THOMAS FATA, AND JOE FATA**

CASE NO. L00-3-1446

ASSURANCE OF VOLUNTARY COMPLIANCE

A. INTRODUCTION

PURSUANT to the provisions of Chapter 501, Part II, Florida Statutes, the OFFICE OF THE ATTORNEY GENERAL, hereinafter referred to as the OFFICE, caused an inquiry to be made into the advertising and business practices of THE MICHIGAN MANDATORY POSTER AGENCY, INC., with a corporate business address of 422 Elmwood, Suite 14, Lansing, Michigan 48917-2600, doing business as The Florida Mandatory Poster Agency, STEVEN J. FATA, THOMAS FATA, and JOE FATA, hereinafter referred to as the Respondents.

IT APPEARS that the Respondents are prepared to enter into this Assurance of Voluntary Compliance, without any admission that Respondents have violated the law and for the purpose of resolution of this matter only, and the Deputy Attorney General, by and through the undersigned Assistant Attorney General, being in agreement, does in this matter accept this Assurance of Voluntary Compliance in termination of this investigation, pursuant to Section 501.207(6), Florida Statutes, and by virtue of the authority vested in the Office of the Attorney General by said statute. The OFFICE, and Respondents, hereby agree and stipulate to the

following:

B. JURISDICTION AND VENUE

1. The Michigan Mandatory Poster Agency, Inc., is the proper named corporate Respondent to this Assurance and is the owner and operator of The Florida Mandatory Poster Agency. Respondents Steven J. Fata, Thomas Fata, and Joe Fata own and operate The Michigan Mandatory Poster Agency, Inc. The Florida Mandatory Poster Agency has transacted business in Florida since April 1, 2000. At all times relevant hereto, Respondent, The Michigan Mandatory Poster Agency, Inc., d/b/a The Florida Mandatory Poster Agency, has had a Florida address of 400 Capital Circle, S.E., Suite 18, #309, Tallahassee, Florida 32301-3839. Venue for any matter relating to or arising out of this Assurance shall lie solely in Leon County, Florida.

C. STIPULATED FACTS

2. Federal and State laws require that various notices disclosing employees' legal rights are to be posted in certain workplaces. Respondent, The Michigan Mandatory Poster Agency, Inc., "Michigan Poster Agency," is a Michigan corporation. Michigan Poster Agency, doing business as The Florida Mandatory Poster Agency, "Florida Poster Agency" through direct mail solicitations, offers to sell these notices, hereinafter "workplace posters" to Florida business owners and other employers.

3. Workplace posters are available through various governmental agencies free of charge.

D. DEFINITIONS

4. "Advertising" (including "advertisement" and "advertise") means any message disseminated to the public or any segment thereof which promotes or is likely to promote directly or indirectly any good, merchandise, property, product, commodity, service, or any person. The

term "advertising" includes messages conveyed by the name under which a person operates, and includes, but is not limited to, messages conveyed visually, orally, or in writing:

a. in a newspaper, magazine, periodical, leaflet, flyer, catalog, brochure, circular, on or in packaging; in telefacsimile material; in any direct mail literature, including but not limited to notices, invoices and forms; in a telephone book or any other written, graphic, pictorial, illustrated or printed material;

b. on any recording, radio, television, video, computer, public address system, by a telephonic transmission, telex, facsimile or telecopier transmission or during any other transmission;

c. on an inside or outside sign or display;

d. in any point-of-sale literature, price tag, or sign;

e. during any in-person appearance or otherwise during any personal contact with the public or any segment thereof.

5. "Clear and conspicuous" (including "clearly and conspicuously") means that a statement, representation, claim or term being conveyed is readily noticeable and reasonably understandable by the person(s), acting reasonably under the circumstances, to whom it is directed. The following, without limitation, shall be considered in determining whether a statement, claim, term, or representation is clear and conspicuous:

a. whether it is presented to the person(s) to whom it is directed in a coherent and meaningful sequence with respect to other terms, representations claims or statements being conveyed;

b. whether it is in close proximity to the statement representation, claim, or term it

clarifies, modifies, explains, or to which it otherwise relates;

c. whether it is contradictory to any representation, statement, claim or term it purports to clarify, modify or explain, or is otherwise contradictory or confusing in relation to any other term, statement, claim or representation being conveyed;

d. whether abbreviations are used and if so whether they are commonly understood by the public or approved by federal or state law;

e. whether it is legible;

f. whether it is of sufficient prominence in terms of print, size and contrast, as compared with accompanying statements, claims, terms, or representations so as to be readily noticeable and reasonably understandable by the person(s), acting reasonably under the circumstances, to whom it is directed;

g. whether, if it is oral, it is at a decibel level equal to the highest decibel level used and is at a speed equal to or slower than any other statement, claim, representation or term conveyed so as to be readily noticeable and reasonably understandable by the person(s), acting reasonably under the circumstances, to whom it is directed;

h. whether it appears for a duration sufficient to allow a listener or viewer to have a reasonable opportunity to notice, read, or otherwise understand.

6. "Representing" (including represent) as used herein shall mean stating, orally or in writing, directly or indirectly, in substance or effect, and whether by affirmative statements, implications, or omissions.

E. AGREEMENT OF COMPLIANCE

7. **IT IS AGREED** by the parties that this Assurance applies to Respondents, acting

directly, or through any entity which Respondents, or any one of them, control, in connection with the advertising, promoting, offering for sale, selling or providing of products or services in Florida or to Florida consumers.

8. **IT IS FURTHER AGREED** by the parties that, in the course and conduct of the business of advertising, selling, offering for sale, or providing any goods or services, Respondents shall:

a. Not use a company name which includes words or terms that have the tendency or capacity to mislead persons to whom the solicitation is directed to believe that the person or entity offering the good or service is a government agency or has a contract with a government agency to provide a good or service, including but not limited to the use of the words “agency” or “mandatory,” in a name;

b. Not use solicitation materials, including mailing envelopes or exterior of mailings, that include words or terms that have the tendency or capacity to mislead persons to whom the solicitation is directed to believe that the person or entity offering the good or service is a government agency or has a contract with a government agency to provide the good or service; including but not limited to:

(1) Use of the words “government information” and/or “official business;”

(2) Symbols such as the outline of a state of the United States of America or outline of the United States of America;

(3) Reference to possible criminal or civil penalties or other governmental action that may be imposed on businesses or individuals for failure to comply with workplace poster laws; or suggest imposition of penalty by failure to purchase workplace posters; provided however, that

this subsection does not prohibit a statement made, in a truthful and non-deceptive manner, of the maximum penalty provided by a federal or state law, where such law sets forth a separate and distinct penalty for failure to post the workplace poster.

(4) Use of names of departments that are non-existent or do not represent actual entities, divisions or department;

(5) Use of the term “confidential” when referring to any of Respondents’ solicitations;

(6) Referring to documents as delivered by registered mail, express mail, special delivery, or any other form of mail or delivery other than by the rate that actually applies, such as bulk rate or first class mail;

(7) Use of “notice numbers” or similar identifiers in any communications relating to the advertised good or service unless such identifier is in fact employed by Respondents for a specific and bona fide purpose;

c. Clearly and conspicuously disclose in all solicitations for the sale of workplace posters that posters containing the same or like information may be obtained free of charge from government agencies.

d. Clearly and conspicuously disclose in all solicitations for the sale of workplace posters that the person or entity offering to sell such posters is not a government agency and does not have contracts with government agencies to supply the posters to the public.

e. Not represent that an advertisement or offer requires an immediate response.

f. Not represent that a failure to respond, or a delay in responding, to an advertisement or offer may result in negative consequences, legal or otherwise; or and not represent that any person must or should purchase any good or service from Respondent, in order to be in

compliance with any law; provided however, that Respondents are not prohibited from stating that failure to comply with a specific posting requirement may result in a civil penalty, if a specific and distinct penalty for failure to comply with the posting requirement is proscribed by law.

g. Not represent that any person is not or may not be in compliance with any law.

h. Not represent that a workplace poster or posters offered for sale by Respondents are “mandatory” or “required” to be posted, if such is not the case.

i. Clearly disclose, in close proximity to the description or reference to any advertised workplace poster, all material exemptions from posting requirements, including but not limited to for example, that the poster is only required if the employer employs a certain number (specifying the number), or category (specifying the category) of employees.

9. **IT IS FURTHER AGREED** by the parties, that prior to the distribution or dissemination in Florida of any advertising by Respondents or by any Respondent, Respondents shall:

a. Obtain a certificate to do business in Florida, in accordance with § 607.1503, Florida Statutes for all corporations advertised therein that are transacting business in Florida; and

b. Register all names under which Respondents transact business in this state, other than the legal name of the individual, or corporation qualified in accordance with § 607.1503, Florida Statutes.

10. **IT IS FURTHER AGREED** by the parties that Respondents shall notify the OFFICE, in writing, at least 10 business days prior to the distribution or dissemination of any further advertising or selling of any good or service in Florida, and shall provide the OFFICE

with any print, audio, video, or electronic advertising Respondent intends to distribute or disseminate in Florida. Such notification shall clearly indicate the case number and case name under which this Assurance has been entered, and shall be directed to the Office of the Attorney General, Economic Crimes Division, The Capitol, PL-01, Tallahassee, Florida 32399-1050. Such submission shall be for the sole purpose of providing notice of the advertisement to the OFFICE. The OFFICE shall not be obligated to provide a response to such submission, and in no event shall the absence of a response be deemed to be approval by the OFFICE of the advertisement.

CONSUMER REFUNDS

11. **IT IS FURTHER AGREED** by the parties that, within 30 days of the effective date of this Assurance, Respondents shall mail, via U.S. first class mail, to every Florida individual or entity that placed a workplace poster order with the Florida Poster Agency, written notice, to be approved by the OFFICE before distribution, which notice shall include the following:

- a. That the notice is being sent pursuant to an agreement with the Office of Florida Attorney General;
- a. That Respondents' business is a private enterprise, and does not represent the government or any government agency;.
- b. That workplace posters containing the same or like information as the posters previously purchased from Florida Mandatory Poster Agency are free of charge from government agencies; and,
- c. That the consumer may receive a full refund of amounts previously paid to The Florida Mandatory Poster Agency for workplace posters.

d. That in order to get a refund, the purchaser must return the posters to Respondents, and will in turn receive full reimbursement, including mailing costs associated with returning the posters, within seven days receipt by Respondents of the purchaser's request.

12. **IT IS FURTHER AGREED** by the parties that, Respondents shall refund the full purchase price, original mailing costs, and costs of returning the posters, to each Florida purchaser, within 7 days of the receipt of returned posters.

13. **IT IS FURTHER AGREED** by the parties that, within 90 days of the date of this Assurance, Respondents shall submit an affidavit to the OFFICE identifying by names, address, and telephone number (if available) of:

a. Each Florida purchaser to whom notice was provided in accordance with paragraph 11, above; and

b. Each Florida purchaser who requested a refund as provided by paragraph 11 above; and

c. Each Florida purchaser to whom a refund has been provided, together with the date and amount of same.

F. ATTORNEY'S FEES AND COSTS

14. **IT IS FURTHER AGREED** by the parties, that, upon execution of this Assurance by Respondents, Respondents shall pay to the State of Florida, Office of the Attorney General, attorney's fees and costs of investigation, in the sum of five thousand dollars (\$5,000.00), which sum shall be deposited in the Legal Affairs Revolving Trust Fund, in accordance with Section 501.2101(1), Florida Statutes. Payment shall be by check made payable to the Office of the Attorney General, Legal Affairs Revolving Trust Fund. Payment shall be by check made payable

to the Office of the Attorney General, and shall be delivered to Tina Furlow, Assistant Attorney General, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050.

G. MISCELLANEOUS PROVISIONS

15. **IT IS FURTHER AGREED** by the parties that Respondents shall be responsible for making the substantive terms and conditions of this Assurance known to its officers, directors, successors, managers, employees and those persons associated with Respondents who are responsible for implementing the obligations set forth in this Assurance.

16. **IT IS FURTHER AGREED** by the parties that Respondents shall not effect any change in its form of doing business or its organizational identity for the purpose of avoiding the terms and conditions set forth in this Assurance.

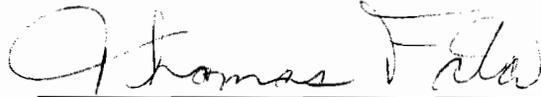
17. **IT IS FURTHER AGREED** by the parties that violations of this Assurance of Voluntary Compliance shall subject Respondents to any and all civil penalties and sanctions provided by law, and payment of attorney's fees and costs incurred in enforcing the provisions of this Assurance, or in bringing any Court action alleging one or more violations of this Assurance.

18. **IT IS FURTHER AGREED** by the parties that this Assurance of Voluntary Compliance shall become effective upon its execution by the parties. The receipt or deposit by the Office of the Attorney General of any monies pursuant to the Assurance of Voluntary Compliance does not constitute acceptance by the Attorney General, and any monies received will be returned if this Assurance of Voluntary Compliance is not executed by the Office.

IN WITNESS WHEREOF, the Respondents have caused this Assurance of Voluntary Compliance to be executed by Thomas Fata, in his individual capacity and as President of The Michigan Mandatory Poster Agency, Inc., as a true act and deed, in Franklin County,

Michigan, this 6th day of February, 2002.

By my signature I hereby affirm that I am acting in my capacity and within my authority as President of The Michigan Mandatory Poster Agency, Inc., and that by my signature I am binding the corporation to this agreement.



Thomas Fata, individually and as President,
The Michigan Mandatory Poster Agency, Inc.,
d/b/a The Florida Mandatory Poster Agency

STATE OF MICHIGAN
COUNTY OF INGHAM

BEFORE ME, an officer duly authorized to take acknowledgments in the State of Michigan, personally appeared Thomas Fata, as President of The Michigan Mandatory Poster Agency, Inc., and acknowledged before me that he executed the foregoing instrument for the purposes therein stated, on this 6th day of February, 2002.

Sworn to and subscribed before me
this 6th day of February, 2002.



(print name)

NOTARY PUBLIC

KRISTINE M. GILLENGERTEN
Notary Public, Ingham County, MI
My Comm. Expires Sept. 1, 2004

(Print, type or stamp commissioned
name of Notary Public)

Personally known or Produced
Identification _____ (check one)

Type of Identification Produced:

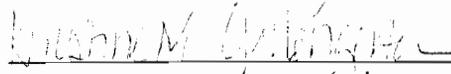

Steven J. Fata

IN WITNESS WHEREOF, the Respondents have caused this Assurance of Voluntary Compliance to be executed by Steven J. Fata, as a true act and deed, in Ingham County, Michigan, this 5th day of February, 2002.

STATE OF MICHIGAN
COUNTY OF INGHAM

BEFORE ME, an officer duly authorized to take acknowledgments in the State of Michigan, personally appeared Steven J. Fata, and acknowledged before me that he executed the foregoing instrument for the purposes therein stated, on this 5th day of February, 2001.

Sworn to and subscribed before me
this 5th day of February, 2001.



(print name)

NOTARY PUBLIC

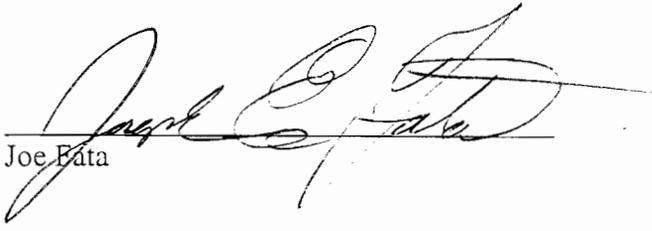
KRISTINE M. GILLEGERTEN
Notary Public, Ingham County, MI
My Comm. Expires Sept. 1, 2004

(Print, type or stamp commissioned
name of Notary Public)

Personally known or Produced
Identification _____ (check one)

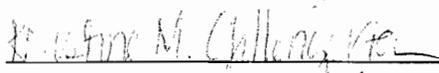
Type of Identification Produced:

IN WITNESS WHEREOF, the Respondents have caused this Assurance of Voluntary Compliance to be executed by Joe Fata, as a true act and deed, in Ingham County, Michigan, this 5th day of February, 2002.


Joe Fata

STATE OF MICHIGAN
COUNTY OF INGHAM

BEFORE ME, an officer duly authorized to take acknowledgments in the State of
Michigan, personally appeared Joe Fata, and acknowledged before me that he executed the
foregoing instrument for the purposes therein stated, on this 6th day of February, 2002.

Sworn to and subscribed before me
this 6th day of February, 2002.


(print name)

NOTARY PUBLIC **KRISTINE M. GILLENGERTEN**
Notary Public, Ingham County, MI
My Comm. Expires Sept. 1, 2004

(Print, type or stamp commissioned
name of Notary Public)

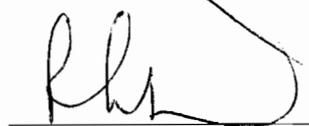
Personally known or Produced
Identification _____ (check one)

Type of Identification Produced:



Tina Furlow
Assistant Attorney General

Accepted this 26th day
of FEBRUARY, 2002.



RICHARD DORAN
Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL
The Capitol, PL-01
Tallahassee, Florida 32399-1050
(850) 487-1963