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Attorneys for the People of the State of California



SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF SACRAMENTO

THE PEOPLE OF THE STATE OF CALIFORNIA,
 Plaintiff,

Case No. 34-2021-00296409

NOTICE OF ENTRY OF JUDGMENT

v.

HEALING HEROES NETWORK INC., A
 FLORIDA NONPROFIT CORPORATION DOING
 BUSINESS AS AMERICAN INJURED VETERANS,
 AMERICAN INJURED VETERANS FOUNDATION,
 INJURED AMERICAN VETERANS FOUNDATION,
 GET THE BIKES, HARLEYS FOR HEROES,
 HERO GIVEAWAYS, OUTDOORS FOR HEROES,
 TABLETS FOR HEROES, AND WELCOME
 HOME HEROES; HERO GIVEAWAYS LLC, A
 FLORIDA LLC; STACEY J. SPIEGEL; NEAL A.
 SPIEGEL; ALLAN M. SPIEGEL; AND DOES 1-
 50, INCLUSIVE,

Defendants.

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on April 22, 2021, the Superior Court of Sacramento County entered Judgment in this matter, a true copy of which is attached hereto.

Dated: April 28, 2021

Respectfully Submitted,

ROB BONTA
Attorney General of California
ELIZABETH S. KIM
Supervising Deputy Attorney General

/s/ Caitlin W. Noble
CAITLIN W. NOBLE
Deputy Attorney General
Attorneys for the People of the State of California

SF2018400112
Notice of entry of judgment (003).docx

DECLARATION OF SERVICE BY FIRST CLASS MAIL

Case Name: **The People of the State of California v. Healing Heroes Network, Inc. et al**

No.: **34-2021-00296409**

I declare:

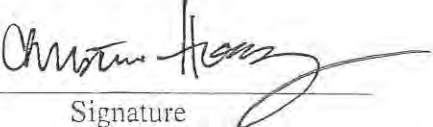
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On April 28, 2021, I served the attached **NOTICE OF ENTRY OF JUDGEMENT, FINAL JUDGMENT AND TEMPORARY AND PERMANENT INJUNCTION, AND NOTICES AND ACKNOWLEDGMENTS OF RECEIPT** by placing a true copy thereof enclosed in a sealed envelope as first class mail in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Zinzow Law Firm
Attn: Justin Zinzow and Stephen Nesbit
8750 Hawbuck Street
Trinity, FL 34655
Attorneys for Defendants

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on April 28, 2021, at San Francisco, California.

Christine Hoang
Declarant


Signature

1 XAVIER BECERRA
Attorney General of California
2 TANIA M. IBANEZ
Senior Assistant Attorney General
3 ELIZABETH S. KIM
Supervising Deputy Attorney General
4 CAITLIN W. NOBLE
Deputy Attorney General
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6 San Francisco, CA 94102-7004
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7 Fax: (415) 703-5480
E-mail: Caitlin.Noble@doj.ca.gov
8 *Attorneys for the People of the State of California*

Exempt from Filing and Reporter
Fees -- Gov. Code § 6103

FILED / ENDORSED

APR 22 2021

By E. Brown, Deputy Clerk

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SACRAMENTO
12

13 THE PEOPLE OF THE STATE OF CALIFORNIA,

14 Plaintiff,

15 v.

16 HEALING HEROES NETWORK, INC., A
17 FLORIDA NONPROFIT CORPORATION DOING
BUSINESS AS AMERICAN INJURED VETERANS,
18 AMERICAN INJURED VETERANS FOUNDATION,
INJURED AMERICAN VETERANS FOUNDATION,
19 GET THE BIKES, HARLEYS FOR HEROES,
HERO GIVEAWAYS, OUTDOORS FOR HEROES,
20 TABLETS FOR HEROES, AND WELCOME
HOME HEROES; HERO GIVEAWAYS LLC, A
21 FLORIDA LLC; STACEY J. SPIEGEL; NEAL A.
SPIEGEL; ALLAN M. SPIEGEL; AND DOES 1-
22 50, INCLUSIVE,

23 Defendants.
24

Case No. 34-2021-00296409

~~PROPOSED~~ FINAL JUDGMENT AND
TEMPORARY AND PERMANENT
INJUNCTION

25 Plaintiff, the People of the State of California, by and through Xavier Becerra, Attorney
General of the State of California, ("Attorney General") commenced this action against
26 Defendants Healing Heroes Network, Inc., a Florida nonprofit corporation doing business as
27 American Injured Veterans Foundation, Injured Americans Veterans Foundation, Get the Bikes,
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{00260904}

1 Harleys for Heroes, Hero Giveaways, Outdoors for Heroes, Tablets for Heroes, and Welcome
2 Home Heroes; Hero Giveaways LLC, a Florida LLC; and Allan M. Spiegel, Stacey J. Spiegel,
3 and Neal A. Spiegel ("Defendants") alleging violations of California's Supervision of Trustees
4 and Fundraisers for Charitable Purposes Act ("Supervision Act") (Gov. Code, § 12580 et seq.),
5 the Nonprofit Corporation Law (Corp. Code, § 5000 et seq.), the Solicitations for Charitable
6 Purposes Law ("Solicitations Law") (Bus. & Prof. Code, § 17510 et seq.), and the Penal Code
7 provisions on nonprofit raffles (Pen. Code, § 319 et seq.).

8 The parties have settled their dispute and stipulated in writing to the entry of this Final
9 Judgment and Temporary and Permanent Injunction pursuant to Code of Civil Procedure, section
10 664.6, to resolve all matters in that Complaint without trial or adjudication of any issue or law or
11 fact.

12 Good cause therefore appearing, **IT IS HEREBY ORDERED, ADJUDGED, AND**
13 **DECREED:**

14 DESCRIPTION OF ACTION

15 1. Healing Heroes Network, Inc. is a Florida nonprofit corporation whose assets are, and
16 were at all relevant times, impressed with a charitable trust. Hero Giveaways LLC is a Florida
17 for-profit limited liability company. The named individual Defendants are the directors, officers,
18 or agents of Healing Heroes Network, Inc.

19 2. The Attorney General on behalf of the People of the State of California sued
20 Defendants for restitution, accounting, injunctive relief, civil penalties, and costs and fees arising
21 out of alleged misrepresentation in charitable solicitation and reporting and negligent hiring and
22 supervision of fundraisers. Defendants deny these allegations.

23 3. In May 2020, the parties to this action entered into a multistate Settlement Agreement
24 which is attached as Exhibit A and incorporated by this reference.
25

26 MONETARY RELIEF

27 4. The Defendants shall pay \$95,000 to the State of Washington to be paid to a tax-
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1 exempt charitable organization that provides services to veterans of the United States military or
2 to persons presently serving in the United States military, as agreed to by the states participating
3 in the multistate Settlement Agreement.

4
5 5. Liquidated Monetary Relief. Upon a showing by a Settling State that one or more
6 Settling Parties has violated any term of this Settlement Agreement, that Settling Party will be
7 liable to the Settling States for liquidated monetary relief in the total amount of \$400,000 (four
8 hundred thousand dollars)¹ subsequent disposition of which would then be determined by
9 agreement of the Settling States.

10 a. Before liquidated relief may be sought in any court, the state which claims
11 that a violation has occurred in its state must first send a notice to the Settling Party who violated
12 the Settlement Agreement and the Settling Party's counsel, Zinzow Law, LLC, requiring the
13 conduct cease and desist and, if applicable, refund of any and all charitable contributions received
14 by the Settling Party in violation of this Settlement Agreement, and only if the conduct has not
15 ceased and, if applicable, all such charitable contributions are not refunded by the deadline stated
16 in the notice, which in no event shall be sooner than twenty (20) days after the notice is received,
17 may the liquidated relief be triggered.

18
19 b. Notice as set forth in subparagraph 5.a. above shall be sent via certified
20 mail, return receipt requested, and shall be deemed received on the date the return receipt card is
21 signed by the party, or if not signed, five (5) business days after the notice's postmark. Notice to
22 Healing Heroes Network, Inc. and Hero Giveaways, LLC shall be sent care of Stacey Spiegel,
23 3533 Shoreline Circle, Palm Harbor, FL 34684. Notice to Zinzow Law shall be sent to the
24 Mailing Address reflected in the most recent Florida Division of Corporations filing for that
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27 ¹ In the event such liquidated monetary relief is sought, only one of the Settling States,
28 either individually or together with one or more of the other Settling States, may pursue that relief
for all the Settling States.

1 entity. Notice to Stacey Jill Spiegel or Allan Mark Spiegel shall be sent to 3533 Shoreline Circle,
2 Palm Harbor, FL 34684. Notice to Neal Aaron Spiegel shall be sent to 2585 Grand Lakeside
3 Drive, Palm Harbor, Florida 34684.

4 c. Notwithstanding the relief described herein, this paragraph shall not
5 foreclose the Settling States from seeking any other lawful remedies for future violations of law,
6 which are not Released Claims. This paragraph does not reduce the civil penalties assessed
7 against Healing Heroes Network, Inc. by the Attorney General's administrative Order to Cease
8 and Desist, No. 2018-CT0154513, issued July 13, 2018.

10 INJUNCTION

11 6. Healing Heroes Network, Inc. and Hero Giveaways, LLC are permanently restrained
12 and enjoined from engaging, participating, or assisting in the solicitation of charitable
13 contributions or receiving any payment or other financial benefit from solicitations for charitable
14 contributions.

15 7. Healing Heroes Network, Inc., Hero Giveaways, LLC, Stacey J. Spiegel, Neal A.
16 Spiegel, and Allan M. Spiegel are permanently restrained and enjoined from violating any
17 California statute, regulation, or rule related to:

- 18 a. operating a charitable nonprofit organization or trust;
- 19 b. soliciting charitable contributions; and
- 20 c. managing or controlling charitable assets.

21 8. For five years from the effective date of the Settlement Agreement, Stacey J. Spiegel,
22 Neal A. Spiegel, and Allan M. Spiegel are restrained and enjoined from:

- 23 a. establishing, operating, controlling, or managing any nonprofit organization
24 that solicits charitable contributions or holds charitable assets;
- 25 b. serving as a fiduciary or trustee as defined in Government Code section
26 12582; and

- 1 c. managing, controlling, directing, distributing, or accounting for the use or
2 application of any charitable asset.

3 The sole exception is that this paragraph shall not prevent Allan M. Spiegel from serving on
4 the board of a nonprofit hospital or medical association.

5 **ADDITIONAL PROVISIONS**

6 9. Any notices or communications required to be transmitted concerning this Judgment
7 shall be provided in writing by certified mail, return receipt requested, addressed as follows:

- 8 a. To the People of the State of California: Caitlin W. Noble, Deputy Attorney
9 General, California Department of Justice, Office of the Attorney General, 455
10 Golden Gate Ave., Ste. 11000, San Francisco, CA 94102;
11 b. To Defendants Healing Heroes Network, Inc. and Hero Giveaways LLC, Stacey
12 J. Spiegel, and Allan M. Spiegel: 3533 Shoreline Circle, Palm Harbor, FL
13 34684;
14 c. To Defendant Neal A. Spiegel: 2585 Grand Lakeside Dr., Palm Harbor, FL
15 34684;
16 d. To Defendants' counsel: Justin Zinzow, Zinzow Law or its successor at the most
17 recent address then on file with the Florida Division of Corporations.

18 Any notices provided concerning this Judgment shall be deemed received on the date the return
19 receipt is signed by the party or five business days after the postmark, whichever is earlier.

20 10. As requested by the Parties, this Court shall retain jurisdiction of this matter for the
21 purpose of enabling any party to this Judgment to apply to the Court at any time for such further
22 orders and direction as are necessary or appropriate for the construction and carrying out of this
23 Judgment, including for the modification of any of its injunctive provisions, enforcement of any
24 provisions, or punishment for any violation of its provisions, pursuant to Code of Civil Procedure,
25 section 664.6. The terms and enforcement of this Judgment shall be governed by the laws of the
26 State of California, and venue shall be in the Superior Court of California, County of San
27 Francisco.

1 11. This Judgment shall be binding and effective immediately upon entry by the clerk of
2 this Court, and the Clerk is ordered to enter this Final Judgment and Temporary and Permanent
3 Injunction.

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5 Dated: APR 22 2021

SHAMA H. MESIWALA
By: _____
Judge of the Superior Court

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2021 APR 26 A 9:11

GA DEP. OF JUSTICE
OFFICE OF THE
ATTORNEY GENERAL

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 238013 NAME: Caitlin W. Noble FIRM NAME: California Department of Justice, Office of the Attorney General STREET ADDRESS: 455 Golden Gate Ave., Ste. 11000 CITY: San Francisco STATE: CA ZIP CODE: 94102 TELEPHONE NO.: (415) 510-4400 FAX NO.: E-MAIL ADDRESS: caitlin.noble@doj.ca.gov ATTORNEY FOR (Name): Plaintiff the People of the State of California		FOR COURT USE ONLY FILED/ENDORSED APR 20 2021 By: <u>P. Vue</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 520 9th St. MAILING ADDRESS: 520 9th St. CITY AND ZIP CODE: Sacramento CA 95814 BRANCH NAME: Civil-unlimited		
Plaintiff/Petitioner: People of the State of California Defendant/Respondent: Healing Heroes Network et al.		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: 34-2021-00296409

TO (Insert name of party being served): Healing Heroes Network Inc.

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: March 26, 2021

Sandra L. Adams

(TYPE OR PRINT NAME)

Sandra L. Adams

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

1. ☒ A copy of the summons and of the complaint.
2. ☐ Other (specify):

(To be completed by recipient):

Date this form is signed: 4/8/2021

Steven A. Nisbet, Esq. on behalf of Healing Heroes Network Inc.

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

St. A. Nisbet

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 238013 NAME: Caitlin W. Noble FIRM NAME: California Department of Justice, Office of the Attorney General STREET ADDRESS: 455 Golden Gate Ave., Ste. 11000 CITY: San Francisco STATE: CA ZIP CODE: 94102 TELEPHONE NO.: (415) 510-4400 FAX NO.: E-MAIL ADDRESS: caitlin.noble@doj.ca.gov ATTORNEY FOR (Name): Plaintiff the People of the State of California		FOR COURT USE ONLY FILED/ENDORSED APR 20 2021 By: <u>P. Vue</u> Deputy Clerk
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NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: 34-2021-00296409

TO (insert name of party being served): Hero Giveaways LLC

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2. ☐ Other (specify):

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Steven A. Nisbet, Esq. on behalf of Hero Giveaways LLC

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

St. A. Nisbet

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
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NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: 34-2021-00296409

TO (insert name of party being served): Neal A. Spiegel

NOTICE

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Sandra L. Adams

(TYPE OR PRINT NAME)

Sandra L. Adams

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1. ☒ A copy of the summons and of the complaint.
2. ☐ Other (specify):

(To be completed by recipient):

Date this form is signed: 4/8/2021

Steven A. Nisbet, Esq. on behalf of Neal A. Spiegel

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)

St. A. Nisbet

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NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL	CASE NUMBER: 34-2021-00296409

TO (insert name of party being served): Allan M. Spiegel

NOTICE

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Sandra L. Adams

(TYPE OR PRINT NAME)

Sandra L. Adams

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NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: 34-2021-00296409

 TO (Insert name of party being served): Stacey J. Spiegel

NOTICE

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 Date of mailing: March 26, 2021
Sandra L. Adams

(TYPE OR PRINT NAME)



(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

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2. ☐ Other (specify):

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 Date this form is signed: 4/8/2021
Steven A. Nisbet, Esq. on behalf of Stacey J. Spiegel

 (TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)



 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)