

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT

True Copy Attest



Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence, Rhode Island

A. MICHAEL MARQUES, IN HIS :
CAPACITY AS DIRECTOR OF THE :
RHODE ISLAND DEPARTMENT OF :
BUSINESS REGULATION, :

PLAINTIFF, :

V. :

C.A. NO. 08-7671

INFINITY MARKETING FIRM AND :
MARK HEMPHILL, :

DEFENDANTS. :

ORDER

This matter came before the Court on December 11, 2008, the Honorable Justice Mark A. Pfeiffer presiding, on the Department of Business Regulation's ("DBR") Verified Complaint Seeking Emergency Injunctive and Other Relief and Motion to Adjudge in Civil Contempt. After hearing on the Motion for Preliminary Injunction and Motion to Adjudge in Contempt and consideration of the issues, it is hereby:

ORDERED, ADJUDGED AND DECREED

1. Defendant Hemphill and Defendant IMF have been acting as a Professional Fundraiser as defined in R.I. Gen. Laws § 5-53.1-1 in blatant disregard of the requirements of R.I. Gen. Laws § 5-53.1-1 *et seq.*
2. Defendant Hemphill and Defendant IMF acted in violation of R.I. Gen. Laws §§ 5-53.1-8(b) and 42-14-11 and in contempt due to their failure to acknowledge or comply with the Department of Business Regulation administrative subpoena served upon Defendants on December 4, 2008 at 225 Newman Avenue in Rumford, Rhode Island ("Administrative Subpoena").

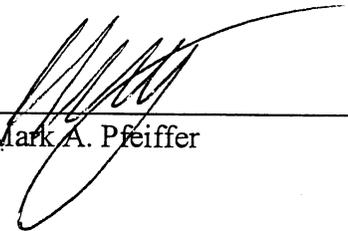
3. Plaintiff shall amend its Verified Complaint in this matter to add the additional employees identified at hearing in this matter as additional defendants and ensure that they are similarly enjoined with respect to compliance with this Court's Order of December 5, 2008 paragraphs 1, 2, and 3. The return date on that Amended Complaint shall be seven (7) days after service of the Amended Complaint.
4. The additional defendants identified as employees of Defendant IMF by Defendant Hemphill to be added to the Amended Verified Complaint are: Patrick Kane, Sheldon Luther, Gerald Aubin, Margaret Dunphy, and Ugene Zaydes.
5. Defendant Hemphill shall provide the Plaintiff the home address of his employee Patrick Kane.
6. Defendants IMF and Hemphill shall cease and desist from engaging in any activity requiring registration or licensure by the DBR at 225 Newman Avenue in Rumford Rhode Island or any other location in Rhode Island.
7. Defendants IMF and Hemphill shall refrain from altering, tampering, or otherwise interfering with the accuracy or integrity of the records, documents, and items covered by the Administrative Subpoena.
8. Defendants may purge the contempt finding by providing all requested documents and other items in the Administrative Subpoena by noon on December 12, 2008.
9. If Defendants fail to provide the documents and other items requested in the Administrative Subpoena by noon on December 12, 2008, the parties shall appear before this Court at 2 pm on December 12, 2008 to address sanctions including fines and/or incarceration at the Adult Correctional Institution until compliance with the Administrative subpoena is effectuated.
10. Plaintiff ~~is ordered to refer~~ ^{may consider referring} this matter to the White Collar Crime Unit of the Office of Rhode Island Attorney General for evaluation of potential criminal charges.

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[Handwritten Signature]

Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence Rhode Island

ENTERED:



Judge Mark A. Pfeiffer

Date: 12-12-08

PER ORDER:

Asst 
Clerk

Date: 12-12-08

True Copy Attest:



Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence Rhode Island

Presented by:
Department of Business Regulation,
By its attorney:

M. Savoy 12/12/08

Neena Sinha Savage (4704)
Chief of Legal Services
Department of Business Regulation
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[Signature]

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