STATE OF NEW YORK
DEPARTMENT OF STATE

In the Matter of the Alleged Violations of the
Do Not Call Registry

- by-

California Marketing Group, et. al.

CONSENT ORDER

2025-C-052000

1. The Department of State is an executive agency of the State of New York charged with enforcement of §399-z of the General Business Law.

2. An enforcement action against California Marketing Group and all controlling persons named or unnamed ("Respondents") as defined in General Business Law §§399-z(g) and (h), including but not limited to parents, members, officers, directors, managers, principals, and owners, was initiated based on complaints received by the Department alleging violations of New York State General Business Law §399-z and 19 New York Codes, Rules and Regulations (NYCRR), Part 220.

3. Respondents have provided documentation that certain contacts made were not telemarketing calls, and enters into this agreement to resolve disputed contacts and settle alleged violations of New York General Business Law §399-z(5), to wit: having made or caused to be made unsolicited telemarketing sales calls to consumers who registered telephone numbers on the national do-not-call registry, established by the Federal Trade Commission, thirty-one (31) days or longer prior to the date each call was made.

4. By executing this Consent Order, Respondents affirmatively waive the right to a hearing in the manner provided by law, consent to issuance and entry of this Order and agree to be bound by the terms, provisions and conditions contained herein.

5. Specifically, Respondents have agreed that they shall not engage in any controlled circulation contacts in New York State. Respondents also agree to promptly remove any individual who requests no contact from their call list and further agree that, should they engage in any telemarketing contacts as defined in General Business Law §399-z(1)(i), they will not contact any New York State consumer that has registered their number on the national do-not-call registry at least thirty-one (31) days prior to that contact without documentation of an express request to contact as required by General Business Law §399-z(1)(k).

6. In settlement of this matter, the Department and Respondents agree to a civil penalty of **$20,000.00**.

7. Respondents are aware that the Department alleges violations of New York General Business Law §399-z relating to calls made in New York State by Respondents. The Department consents to close and discontinue the investigation into any potential violations occurring prior to the date on which this Order is signed, with prejudice, provided that the Respondents comply with this Order and all terms and conditions outlined in TC1-TC8, below.

NOW, in consideration of the above, the parties consent to entry of an **ORDER** as outlined herein and subject to the following additional terms and conditions:

TC1. Respondents shall return the fully executed and notarized Consent Order such that same is received by the Department on or before **July 8, 2026**. The mailing address to which the Consent Order should be sent is: NYS Department of State, Division of Consumer Protection, Attn: Katie Sherwin, Division Director, One Commerce Plaza, 99 Washington Avenue, Suite 500, Albany, NY 12231.

TC2. Respondents shall pay the civil penalty in the amount of **twenty thousand dollars ($20,000.00)** to **"NYS Department of State,"** on or before **August 15, 2026**.

TC3. This Consent Order expressly depends upon representations made by Respondents both oral or written, formal or informal which relate to the subject matter of the Consent Order, as well as the accuracy, truthfulness, and completeness of all such representations to the Department. If any such representation is determined to be limited, inaccurate or untruthful, the Department shall not be bound by the terms herein and shall initiate any lawfully authorized action against Respondents.

TC4. The effective date of this Order shall be the date on which the Secretary of State or their designee signs the same. The Department will provide Respondents with a fully executed copy of this Order as soon as practicable after the Secretary of State, or their designee signs the same.

TC5. The failure of Respondents to comply fully and in timely fashion with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order. Such default shall result in a referral to the Office of Attorney General for collection of the full civil penalty for each identified violation as identified in New York General Business Law §399-z(14)(a) and pursuant to New York Executive Law §63. Respondents hereby acknowledge the fine owed under this agreement, accepts the same as valid and waives the right to contest the same. Specifically, the civil penalty is owed by reason of the alleged violations of, *inter alia*, New York General Business Law §399-z and the regulations promulgated thereunder.

TC6. This Order constitutes the entire agreement of the parties, and no provision of the agreement shall be deemed waived or otherwise modified except as is specifically set forth in a writing executed by the Secretary of State or their designee indicating an intent to modify this Order.

TC7. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting (1) any legal, administrative or equitable rights or claims, actions,

suits, causes of action or demand whatsoever that the Department may have against anyone, other than California Marketing Group and all controlling persons named or unnamed, as defined in General Business Law §§399-z(g) and (h), including but not limited to its parents, members, officers, directors, managers, principals, and owners; (2) any right of the Department to enforce administratively or at law or in equity, the terms, provisions and conditions of this Order; or (3) any right of the Department to bring any future action, either administrative or judicial, for any future violations of the applicable laws, the implementing regulations or conditions contained in orders if any, issued by the Department to Respondents.

TC8. The penalty set forth in this Consent Order is neither intended to be nor shall not be construed by Respondents as a benchmark for any penalty that may be imposed upon any determination against Respondents of future violations of New York General Business Law §399-z.

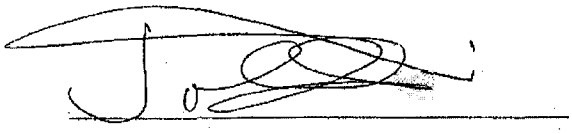
Dated: July 14, 2026, KPS
Albany, New York

NEW YORK STATE
DEPARTMENT OF STATE

By: _____
Katie Sherwin, Director
Division of Consumer Protection

CONSENT OF CALIFORNIA MARKETING GROUP

John Mabie on behalf of California Marketing Group and all controlling persons, named or unnamed, as defined in General Business Law §§399-z(g) and (h), including but not limited to parents, members, officers, directors, managers, principals, and owners hereby consents to the issuing and entering of this Order, affirms that they are authorized to enter into this consent order on behalf of the Respondents as a parent, member, officer, director, manager, principal, and/or owner of the California Marketing Group, waives the right to a hearing and agrees to be bound by the terms and conditions herein.



STATE OF

ss.:

COUNTY OF _____)

On this ____ day of _____ in the year 2026 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

PLEASE SEE ATTACHED CALIFORNIA
[ ] JURAT
[✓] ACKNOWLEDGEMENT

_____
Notary Public

CLEAR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Diego)

On July 7, 2026 before me, C.A. Gonzalez a notary public
Date *Here Insert Name and Title of the Officer*

Personally appeared John Mabie
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

C.A. GONZALEZ
COMM. # 2451737
NOTARY PUBLIC-CALIFORNIA
SAN DIEGO COUNTY
MY COMM. EXP. JUNE 26, 2027

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document _____ Document Date _____

Number of Pages _____ Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name _____	Signer's Name _____
Corporate Officer—Title(s) _____	Corporate Officer—Title(s) _____
Partner Limited General	Partner Limited General
Individual Attorney in Fact	Individual Attorney in Fact
Trustee Guardian or Conservator	Trustee Guardian or Conservator
Other _____	Other _____
Signer Is Representing _____	Signer Is Representing _____

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