

ASSURANCE OF VOLUNTARY COMPLIANCE

In the matter of

Senior Supplemental Referral Service, LLC, dba Need-A-Lead;
and Brady Eddins;

Respondents.

The office of the Iowa Attorney General, and each of the above-named Respondents, hereby agree as follows:

This Assurance of Voluntary Compliance (“Assurance”) constitutes a full and final resolution and release of any and all claims by the Iowa Attorney General against each Respondent, and each of their respective agents, affiliates, and representatives, for violations or alleged violations of the Iowa Consumer Fraud Act, Iowa Code § 714.16 (“CFA”) that may have occurred prior to the Effective Date (defined below) of this Assurance and that relate to the lead-generation mailings provided by Respondents to the Attorney General’s office in response to Subpoena No. 2603.

Nothing contained herein may be taken as or construed to be an admission or concession of any violation of law or of any other matter of fact or law, or of any liability or wrongdoing, all of which Respondents expressly deny. No part of this Assurance constitutes or shall be deemed to constitute an admission by any Respondent that it has ever engaged in any conduct proscribed by this Assurance or that any Respondent has failed to comply with any federal or state statute or regulation or the common law, and no payment required by this Assurance shall be deemed a penalty. This Assurance shall take effect when the last signature below is added (the “Effective Date”).

IT IS THEREFORE AGREED that each Respondent shall ensure and maintain compliance with the Iowa Consumer Fraud Act, Iowa Code § 714.16, in connection with efforts to generate marketing leads through contacts with Iowa residents. Without limiting the foregoing, each Respondent hereby agrees to refrain from engaging or participating, directly or indirectly, in any efforts to generate marketing leads through contacts with Iowa residents that:

convey the impression that the communication relates to an urgent matter, or is otherwise more time-sensitive than it is in fact;

mislead regarding the extent to which the communication is intended exclusively for, or is tailored to the circumstances of, Iowa citizens or residents;

create the impression that a mailing or other communication is from a governmental entity or is associated with a governmental entity or is on behalf of a governmental entity, whether through formatting, design, words, or other means or features;

mislead regarding the cost or absence of cost of anything offered to the consumer, including without limitation the extent to which anything offered to the consumer is “free”;

misrepresent one or more of the reasons that information or a response is suggested, urged or requested; and/or

fail to make, in a clear and conspicuous manner, such disclosures as are reasonably necessary to ensure that the recipient of a communication does not misunderstand the source or purpose of such communication, without, however, purporting to rely upon disclosures or disclaimers to correct a false impression affirmatively created by other aspects of the communication.

IT IS FURTHER AGREED that Respondent shall comply with reasonable requests from the Attorney General for information relating to the circumstances that gave rise to this Assurance or compliance with this Assurance.

IT IS FURTHER AGREED that nothing herein shall be interpreted to create any private right of action for consumers that would not otherwise exist, nor to diminish any rights or remedial options available to consumers that would otherwise exist.

IT IS FURTHER AGREED that, in addition to whatever other legal remedies may be available, a violation of this Assurance by a Respondent constitutes a violation of the Iowa Consumer Fraud Act, Iowa Code § 714.16, and each such violation by such Respondent of this

Assurance, if established by a preponderance of evidence in an enforcement action by the Attorney General, may give rise to a civil penalty against such Respondent in an amount to be determined by the court.

IT IS FURTHER AGREED that, pursuant to Iowa Code § 714.16, Respondents pay to the Attorney General, before or within five (5) days after the Effective Date of this Assurance, \$1,500.00, in the manner instructed by the Attorney General, such sum to be deposited in the consumer fraud enforcement fund referred to in Iowa Code § 714.16A.

Date: 5/25/17

Brady E Eddins
For Senior Supplemental Referral Service, LLC,
dba Need-A-Lead
By: [name, printed:] Brady E Eddins

Date: 5/25/17

Brady E Eddins
Brady Eddins

Date: ~~5/25~~ 7/31/17

John R. Hammond, Jr.
John R. Hammond, Jr.
Attorney for Respondents

Date: 8/28/17

Steve St. Clair
Steve St. Clair
Assistant Iowa Attorney General