

THE TENNESSEE REGULATORY AUTHORITY

AT NASHVILLE, TENNESSEE

IN RE:)		
)		
ALLEGED VIOLATIONS OF Tenn. Code)		12-00441
Ann. § 65-4-401, <i>et seq.</i> , DO-NOT-CALL)	DO NOT CALL	12-00529
SALES SOLICITATION LAW, AND)	PROGRAM	12-00798
RULES OF TENNESSEE REGULATORY)	FILE NOS.	12-00945
AUTHORITY CHAPTER 1220-4-11, BY:)		
)		
DAVID GARTENBERG)		
SELLTEL, INC. D/B/A NATIONAL)		
PROTECTION SERVICE)		
393 MANTOLOKING RD.)		
BRICK, NJ 08723)		

SETTLEMENT AGREEMENT

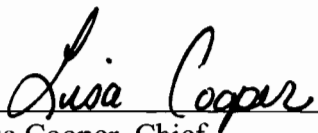
This settlement agreement has been entered into between the Consumer Services Division (“CSD”) of the Tennessee Regulatory Authority (“TRA”) and David Gartenberg, Selltel, Inc. D/B/A National Protection Service (“Respondent”), and is subject to the approval of the directors of the TRA. The subject of this settlement agreement are four (4) separate complaints received by the CSD alleging that Respondent violated the Tennessee Do-No-Call Telephone Sales Solicitation law, T.C.A. § 65-4-401 *et seq.*, and TRA Rules and Regulations 1220-4-11-.07, by making or causing to be made telephone sales solicitation calls to the residential telephone numbers of four (4) separate Tennessee consumers whose residential telephone numbers were registered on the Tennessee Do-Not-Call Register.

Respondent acknowledged that it did place calls to the consumer phone numbers and has made good faith efforts to comply with Tennessee laws governing telephone solicitation calls, and stated failure to register with the TRA was completely inadvertent. T.C.A. § 65-4-405(f) authorizes the TRA to assess penalties for violations of the Tennessee Do-Not-Call statutes, including the issuance of a cease and desist order and the imposition of civil penalties for knowing violations. The CSD considered several factors stated in T.C.A. § 65-4-116(b) during the negotiations that resulted in this Settlement Agreement, including the size of Respondent's business, good faith cooperation during the investigation, and the gravity of the violations by Respondent.

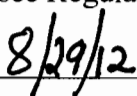
In an effort to resolve these four (4) complaints represented by the file numbers above, the CSD and Respondent agree to settle these complaints on the following terms subject to approval by the directors of the TRA.

1. Respondent admits that Selltel, Inc. D/B/A National Protection Service was not registered as a solicitor as required by the Rule 1220-4-11-.04 of the Telephone Solicitations Regulations, and further admits that the four (4) complaints against Selltel, Inc. D/B/A National Protection Service were true and valid complaints.
2. Respondent agrees to immediately register as a solicitor with the authority.
3. Respondent agrees to pay a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00) to the TRA within thirty (30) days of the ratification of this Settlement Agreement.
4. Respondent agrees to appear in person or telephonically at the TRA conference at which this Settlement Agreement will be considered for approval.
5. Respondent agrees to remain in compliance with all the statutory and regulatory requirements of the TRA.

6. In the event that Respondent fails to comply with the terms and conditions of this Settlement Agreement, the TRA reserves the right to re-open this investigation and Respondent shall pay any and all costs incurred by the TRA to enforce the Settlement Agreement.



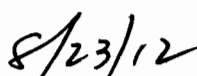
Lisa Cooper, Chief
Consumer Services Division
Tennessee Regulatory Authority



Date



David Gartenberg, President
National Protection Service



Date