

STATE OF NEW YORK  
DEPARTMENT OF STATE  
In the Matter of a Proceeding Pursuant to Articles 26  
of the General Business Law and  
Regulations promulgated thereunder,

**CONSENT ORDER**

- by-

File #14 DNC 0133

Slomin's Shield,

Respondent.

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1. The New York State Department of State ("Department") is an executive agency of the State of New York charged with the regulation of the "Do Not Call" law and the enforcement of Article 26 of the General Business Law.
2. Respondent Slomin's Shield (Slomin's) is a registered corporation with the Department with an address of 125 Lauman Lane, Hicksville, New York 11801.
3. The Department of State Division of Licensing Services Enforcement Unit received numerous complaints stating that Slomin's violated the Do Not Call law.
4. The Department's staff conducted an investigation, which investigation resulted in commencement of the above-captioned administrative proceeding.
5. Respondent has been advised of its right to be represented by an attorney and it is represented by Richard M. Gabor , Attorney at Law, of Gabor & Marotta LLC with an office located at 1878 Victory Boulevard, Staten Island, New York 10314.
6. By executing this Consent Order, the Respondent affirmatively waives its right to a hearing in the manner provided by law, consents to the issuance and entry of this Order and agrees to be bound by the terms, provisions and conditions contained herein.
7. Slomin's enters into this agreement in order to resolve a disputed matter. Slomin's agrees that the violations alleged in the Department's Notice of Apparent Liability (14 DNC 0133) regarding a pattern of business practices which allegedly violated the relevant sections of the General Business Law have been, or will be rectified, in accordance with the terms set forth herein:

To resolve the Department's allegations that Slomin's made no less than twenty eight (28) unsolicited telemarketing sales calls to twenty (20) consumers whose telephone numbers were validly registered on the National Do Not Call Registry, in violation of New York General Business Law Section 399-z and 21 NYCRR Parts 4602 and 4603, Slomin's agrees to a settlement payment in the amount of \$500.00 per alleged call, for a total payment due of **\$14,000.00**.

*NOW*, in consideration of the above premises, it is **ORDERED**:

1. That Respondent shall return the fully executed and notarized Consent Order such that same is received by the Department on or before June 1, 2015. The mailing address to send the Consent Order is: NYS Department of State, Division of Licensing Services, Attn: John E. Kenny, Senior Attorney, Office of General Counsel, 5<sup>th</sup> Floor, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231.
2. That the Respondent shall pay the amount of **\$14,000.00 (Fourteen Thousand Dollars)**, with the payment being due on before June 1, 2015 in the **form of a cashier's check or money order**, payable to NYS Department of State.
3. That upon execution of this Order by the Secretary of State or his designee, the Notice of Apparent Liability in this matter shall be terminated, withdrawn and discontinued with prejudice with respect to the Respondent in accordance with the terms hereof.
4. That the Consent Order herein expressly depends upon representations made by the Respondent, both oral or written, formal or informal which relate to the subject matter of the Consent Order and that such representations have fully, accurately and truthfully disclosed all relevant facts to the Department of State. If any such representation is determined to be limited, inaccurate or untruthful, the Department of State shall not be bound by the terms herein and shall initiate any action it deems appropriate in the administrative, civil or criminal prosecution of the Respondent.
5. The effective date of this Order shall be the date on which the Secretary of State or his designee signs the same and shall expire when the Respondent has fully complied with the requirements of this Order. The Department will provide the Respondent or Respondent's counsel with a fully executed copy of this Order as soon as practicable after the Secretary of State signs the same.
6. The failure of the Respondent 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 an administrative hearing for the purpose of determining whether additional penalties should be imposed due to the Respondent's default and failure to perform an obligation under this Order.
7. 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 his designee indicating an intent to modify this Order.
8. 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 the Respondent (2) any right of the Department to enforce administratively or at law or in equity, the terms, provisions and conditions of this Order;

(3) any right of the Department to bring any future action, either administrative or judicial, for any other violations of the applicable laws, the implementing regulations or conditions contained in orders if any, issued by the Department to the Respondent.

Dated:

6/24/15

New York, New York

NEW YORK STATE  
DEPARTMENT OF STATE

By:

David Mossberg  
Associate Attorney

**CONSENT OF JASON SALZMAN**

Jason Salzman, President, on behalf of Slomin's Shield, hereby consents to the issuing and entering of this Order, waives his right to a hearing and agrees to be bound by the terms and conditions herein.

  
Jason Salzman

STATE OF NEW YORK    )  
                                  )    ss.:  
COUNTY OF            )

On this 22<sup>nd</sup> day of June in the year 2015 before me, the undersigned, personally appeared Jason Salzman, 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 he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

**ELIZABETH C. SPOSITO**  
Notary Public, State of New York  
No. 01SP6041829  
Qualified in Suffolk / Nassau County  
Commission Expires May 15, 2018