

**The Offices of
RANDY ALLEN SCOTT**

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November 11, 2013

Armando Irizarry, Esq.
Bureau of Competition
Anticompetitive Practices Division

Re: Inquiry into non profit process server associations and antitrust

Dear Mr Armando Irizarry:

I am an individual who has been following the matter of Federal Trade Commission and the California Association of Legal Support Professional.

With the limited public information and the fear of not finding the area to place public comments, I can no longer wait for the potential official publication to make these very important public comments attributed to FTC Matter No. 1310205, California Association of Legal Support Professionals. You should note that CALSPRO released this pending matter and that has alerted the network of its peers through the National Association of Professional Process Servers (NAPPS) a nonprofit organization to organize its response to you. It is clear; although your specific target letter calls out CALSPRO it is not isolated to CALSPRO.

CALSPRO is a part of an extensive network of competitors all united through the device NAPPS. The association members of this organization have a hand shake agreement whereby those

who call themselves the NAPPS board derives substantial private profit to the exclusive benefit of its leadership members. In addition, through the exclusive directory NAPPS controls, that many consumers gain access to process servers, the exclusive NAPPS directory replicated at every affiliate association across the country offers substantial private benefit to its individual nonprofit members. By excluding competitors like me consumers pay higher prices and the competitive nature of the creation of professional service is diminished. NAPPS is an organization operated by one family affiliated with Alan H Crowe and associates going back to its creation in the 1980's.

I request your agency works with the US Internal Revenue Service, the United States Department of justice to address the systemic antitrust deviations with this nonprofit group. To protect this well established and documented private benefit of the nonprofit association affiliates, leaders, and members the NAPPS officers and agents materially misstates its IRS 990 forms, purposefully evades taxes, purposefully and intently evades lobbying registrations requirements across the country. In addition Gary Crowe the administrator uses his counsel Chris Rycewics as the enforcer of these numerous schemes by proposing "business rule" opinions and solutions to the decision they make.

Although this investigation could be quite complex I would recommend to get a copy of the CD called the Docket sheet. The Docket sheet is a private publication of NAPPS printed almost every two months for the past 30 years. When you receive that CD you will undoubtedly come to the same reasonable conclusion as I have. That conclusion is NAPPS has violated antitrust laws and to protect that activity misstate IRS forms and ledgers. In the efforts to correct these errors, they responded with substantial resistance and my eventual expulsion from the organizations as being an unprofessional.

The IRS and the USDOJ have substantial records relating to this concern and request you work with them to assure all members of NAPPS protected from this anti competitive environment created by the leadership generally and Gary Crowe specifically.

I have attached for your review one page of the most recent NAPPS meeting of November 9, 2013

Very truly yours,

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PS. If you do obtain the Docket Sheet on CD you will consistent themes of private benefit to the union of competitors to the exclusion of others.(You can find this CD for sale to the public here http://www.napps.org/online_store.asp) Not only violating antitrust laws but in addition violating IRS non profit laws.

CC:

Mike Belote, Esq., MBelote@caladvocates.com

Jennifer Blevins, Administrator Jennifer@caladmanagement.com

• Vendor Page

Fred Blum is disturbed that we permit other entities with process server search engines to advertise on our vendor webpage. Fred believes that by these companies advertising on our website we are, in a way, endorsing them. His fear is that we are pushing people towards companies that may not be reputable or driving process service from our membership. Discussion ensued.



ADVERTISING COMMITTEE REPORT
to the
BOARD OF DIRECTORS
November 9, 2013
San Diego, California

Proposed NAPPS Publication Policy

It is the policy of this association that no article, commentary, or advertisement, paid or otherwise, shall be printed, published, or otherwise appear in any form of NAPPS media (NAPPS website, The Docket Sheet, Monthly Bulletin, or any other form of communication) that is (a) false, (b) derogatory or defamatory in nature, (c) slanderous or libelous, (d) conflicts with the stated purposes, policies, goals or activities of the association, or (e) is contrary to the business interests of the members generally, including but not limited, to advertisements or Internet links that draw away from and are in competition with the NAPPS membership directory.

The NAPPS Administrator, or such other person(s) charged with causing the material to be published, shall have editorial discretion to reject or edit such material to correct grammatical errors, omissions, or content that is contrary to the intent of this Policy. The person or company submitting such material shall be notified of the rejection or edit prior to publication of the edited material. In the event that there is an objection by that person or company of the rejection or edit, the material shall be submitted to the Board of Directors for review of the decision by the NAPPS Administrator, or such other person(s) charged with causing the material to be published. All decisions by the Board of Directors shall be final.

Analysis of Proposed Policy

(a) False statements

Very obvious. There are established definitions of false statements.

(b) Derogatory or defamatory in nature.

Very obvious. There are established definitions of both.

(c) Slanderous or Libelous

A combination of false, derogatory, or defamatory statements. There are established definitions for slander (verbal statements) and libel (written statements).

(d) Conflicts with (a) the stated purposes, (b) policies, (c) goals and/or activities of the association.

The term "conflicts with" is somewhat ambiguous and could give rise to different interpretations by whoever is making the analysis and decision. This needs further definition through existing examples. For instance, an advertisement or paying advertiser on the NAPPS vendor page that redirects someone to a company site whose primary purpose is to list other, non-member process servers or legal support professionals is contrary to NAPPS goals and or activities, and dilutes the anticipated benefits of NAPPS members.

A link to a chartered or unchartered process serving association may on its face, appear to violate this goal. However, it is consistent with a NAPPS started purpose in Art. II, Sec. 5, assisting and promoting the formation of state and regional associations representing the profession.

Stated purposes are set forth in the NAPPS Bylaws.

Policies are set forth in the NAPPS Policy Manual

Goals and/or activities can be defined and identified from several sources. Examples:

- "About Us" section on the NAPPS website
- Member search capability on the website
- Statute and court rule content in the Directory
- Articles published in The Docket Sheet and/or posted in associations blogs.