



® NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

Arbitration & Grievance Committee

Paul K. Tamaroff, Chair

P.O. Box 7710

Atlanta, GA 30357

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ptamaroff@aps-ga.net

November 13, 2012

Randy A. Scott, AFPS
All Claims Process LLC
343 Hazelwood Avenue
Lehigh Acres, Florida 33936-5876

Re: Unethical Conduct Complaint: Yellon v. Scott
Case No. 12-PT-UC-32

Dear Member Scott:

Enclosed please find a copy of the Unprofessional Complaint in the above matter filed by Member Yellon.

Pursuant to Policy No. 4, paragraph H-1, of the NAPPS Policy Manual (a copy of which you will find on the website and in the printed directory), a Reply to the Complaint must be received within fourteen (14) days from the date of this letter. In view of the Thanksgiving Holiday weekend, and to insure that you have the full fourteen (14) days to prepare your reply, this complaint is being forwarded to you by e-mail, as well as by first-class mail.

Your Reply must be directed to the undersigned and should refer to the above case name and number. Should no Reply be received, the matter shall be submitted directly to the Board of Directors for appropriate action pursuant to Policy No. 4, paragraph H-4 of the Policy Manual. Such appropriate action may include sanctions up to and including revocation of your membership.

~~Very truly yours,~~ . . . /

~~Paul K. Tamaroff, Grievance Chair~~

cc. Larry Yellon

Paul Tamaroff
NAPPS A&G Committee Chair
P.O. Box 7710
Atlanta, GA 30357

Re: Unethical Conduct Complaint against Randy A. Scott

Dear Mr. Tamaroff:

This letter is a formal grievance for unethical conduct against NAPPS member Randy A. Scott of All-Claims Process, LLC in Florida.

The NAPPS Code of Ethics states in part: *"In the conduct of a member's professional and non-professional activities, nothing shall be done that would impugn the position, reputation, or name of this Association, its members, or the process serving profession."* It also states, *"Everything possible shall be done to avoid the appearance of impropriety..."*

At some point in time, Member Scott copied all of the email addresses of the NAPPS membership from the NAPPS website. This is known because many members use a designated email address that they only use for their membership listing in order to track what work comes through the NAPPS website (including some board members). In January, 2012, Member Scott created an email "group" through Google called "2200members@googlegroups.com." The number 2200 is significant, as it was the number of members NAPPS had at that time. On several occasions emails were sent out to the entire NAPPS membership, announcing this discussion group and many were included not because they signed up, but because they failed to opt-out. During January and February, 2012, there was a targeted campaign occurring on a website known as NappsWatcher designed to destroy my reputation, that of the NAPPS board and our administrator.

On February 21, 2012, Member Scott sent an email to the NAPPS membership (attached as Exhibit 1). In this email, he states the Google group is shutting down and directs members to join a Facebook discussion page. He then comments, in part, "Also for those of less than faint at heart I received an email on January 12 telling me to visit <http://www.nappswatcher.com>. I got this email right when I started publishing this google group...it appears to be an organized effort to boot some out of NAPPS...right or wrong it is drama that leads to discussion." While it is not known how many NAPPS members knew of the NappsWatcher site, this was a clear effort to drive NAPPS members to that site.

On April 15, 2012, Member Scott sent a two-page email from process@randyscott.us (attached as Exhibit 2). It was sent to the entire NAPPS membership, Jason Orme (NAPPS CPA), the IRS and also posted on the Facebook page serviceofprocess@groups.facebook.com, where a substantial portion of its readers are not members of NAPPS. The email expressed Member Scott's concerns over monies paid to

the New York State association. The second half of the lengthy email has a section addressed directly to the IRS. It states in part:

“To the IRS: “...They [the NAPPS board] have used policy to expel members who inquire into records to evaluate and hold them accountable. They recently created a policy that suggests if two or more members share among themselves financial records to evaluate the proper handling of compliance issues they will be disciplined up to and including expulsion. The board has proven this recently by expelling a former president because he talked about finances that he believed were improperly reported to you the IRS.”

As NAPPS President at the time of these incidents, I can say unequivocally that these statements are completely untrue. NAPPS did create a record request policy that prohibits a member that has received records through a record request from disseminating those records to others. The policy covers all records, not just financial as Member Scott suggests, so as to preclude from public dissemination, including posting such records on websites (which Member Scott had already done with various NAPPS records). As reported to the membership in the Docket Sheet, “The substance of the grievance against member Bannister were comments he made that impugned the reputation of a member(s) and the Association, coupled with a previous Public Reprimand for similar conduct.” Member Scott’s email, sent to such a large group of people which includes members, non-members and other professionals, impugns the reputation and integrity of each individual board member. There can be no doubt but that this email, containing intentionally false and misleading information, caused many potential members from joining NAPPS and caused many members to call into question the events surrounding the Bannister revocation of membership.

In June, 2012, Member Scott filed articles of incorporation for “Independent Professional Process Servers of America”, a national non-profit association for process servers, and created a website at www.ippsoa.com. On this website, Member Scott is listed as “Administrator.” The site, to date, does not list any bylaws, policies, procedures or a board of directors, leading one to conclude Member Scott is the sole leader and decision maker on its behalf.

During the period November 15 and November 17, 2012, Member Scott sent a flurry of emails to the entire NAPPS membership using the email address admin@ippsoa.com.

On November 15, 2012 Member Scott sent a two-page e-mail (attached as Exhibit 3) to the NAPPS membership using the subject line “Open Letter to NAPPS – 5th District of Florida smackdown of process server.” In this email he states “All members should be allowed to vote for the board via electronic means just like the board did on October 4th,

2012. If all members were allowed to vote they may..." What follows are 13 specific points, each of which ends with the words "or they may not." An example of which is "support giving the Texas association \$25,000 or not." I question whether the words "or not" affords Member Scott the ability to make statements that are completely fabricated, such as the example above (Texas has never requested \$25,000). The NAPPS administrator received many emails from concerned members who believed everything stated in these 13 points were either being done or are being proposed, including "support you letting Serve-Now take over the directory and promotions, or not."

Following the 13 points in this email is a section titled "In the board agenda agenda (sic)." In this section, Member Scott states "Paul Tamaroff resigned from membership. Someone behind the scenes refused to accept the resignation even though the board accepted it without reconsideration. Then he was appointed as the AG chair who will we expel next?" The insinuation that something sinister occurred with the Tamaroff "resignation" defies all sense of logic. Although the term "resignation" was used by Board members, in fact, Member Tamaroff simply mentioned his plans to allow his membership to lapse. This was completely handled in an open session board meeting and is in the meeting minutes. The majority of the board (myself included) refused to accept his resignation – a prerogative of the Board. There is no such thing as reconsideration of a resignation. There is no question but that these statements serve only one purpose: to attack my motives for making this appointment and also to attack Paul Tamaroff's integrity as acting chair of the committee. To insinuate to the entire membership that the president specifically appointed someone, a multi-term past president and 10-year chair of the same committee no less, for the purpose of expelling certain individuals is outrageous at the very least.

At the end of the November 15, 2012 e-mail Member Scott states "What do you think? Come join the discussion at <http://www.facebook.com/groups/processservers/>. This is then followed by "Open letter sponsored by www.ippsoa.com come visit us and join over 300 of us free, or not."

On November 16, 2012, three emails were sent to the NAPPS membership from admin@IPPSOA.com (all are attached as Exhibits 4, 5 and 6 respectively). Exhibit 4 has the subject line of "HOT OFF THE PRESS—NAPPS Board Officers and Directors file lawsuit against those who spoke against them. After identifying the lawsuit and that it was related to NappsWatcher he states "For now IPPSOA knows it is related to questioning the authority of the board and administration..." This is followed by "Come join the discussion over at Facebook <http://www.facebook.com/groups/processservers/>.

Exhibit 5 has the subject line, "NAPPS Board of directors and officers file lawsuit against anonymous BLOGGERS." Here, Member Scott identifies the lawsuit but states "For now IPPSOA knows it is related to the NAPPSWATCHER.com site and the anonymous bloggers who posted on it." Member Scott then adds, "The bloggers question the administrations unaudited financial practices as it relates to accounting of the association's finances." At the end of this email Member Scott states he wants absentee ballots at the annual meeting so that "the few can be properly placed and overcome by the many...come visit and join IPPSOA.com."

Exhibit 6 has the subject line "Hello Texas Surprise I will tell you.....NAPPS meeting is in New Orleans tomorrow at 9:00am. This email begins with "Hello Texas! The following is a letter I just sent out to the NAPPS board and others just simply asking for some transparency by presenting questions relating to their meetings and finances. I know your local leaders will be at this meeting, as they have a goal of tapping into some NAPPS funds..." Why Member Scott believes the Texas Process Server Association is requesting funds is unknown, because they are not. Following this statement, Member Scott then questions in great detail why so much money was spent at the February, 2012 board meeting. After his lengthy analysis, filled with false assumptions and misinformation, he makes the statement,

"Regretfully these discrepancies teamed up with the private cruise that was taken at this Fort Lauderdale meeting (of course the cruise was not paid for by the NAPPS, but getting there certainly saved the participants some funds) is not good PR in this lean days of purpose. I was prepared to go to this meeting in Fort Lauderdale but as soon as I hear the board was cruising together I decided it wasn't a meeting worth attending as the board's minds may be elsewhere. This is sling shot finances and probably should not be done on a non profits dime, at least until it proves accountability to those they represent."

There are just so many untrue statements and false accusations. To say he did not attend the meeting because the "board's minds may be elsewhere" is an example of the reckless behavior that can only be called slanderous and cannot be tolerated.

This email asks questions and claims wrongdoing unsupported by facts. There can be no question that these accusations and attacks (i.e. claiming sling shot finances and IRS investigations) are impugning the reputation of NAPPS, the board and committee chairs.

It should be pointed out that had he actually contacted the NAPPS administrator, or any board member prior to this coast-to-coast email campaign, he would have learned that there is a resolution that mandates "ALL MacDonald Award Committee members are

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both paid a stipend and two room nights to attend the February board meeting". This is a considerable expense, as it can add up to seven additional stipends and 14 additional room nights. This is in addition to the two stipends the president has the ability to give. It is at this meeting that the MacDonald Committee meets and decides who will receive the award at the annual conference. Adding to this increase of expenditures is the amount of food that is supplied in the meeting room and the lunch that is provided to all meeting attendees. Instead of asking such simple questions, Member Scott instead hurls accusations, misinformation and comments about a cruise in order to spark outrage in the membership, reflecting an attitude that is not simply reckless, but an intentional disregard of the facts, for the purpose of inflicting harm to the position, reputation and name of NAPPS, its membership, all in violation of Code of Ethics No. 1. It is no surprise that each of his emails end with a solicitation to join IPPSOA and his Facebook page.

Currently, when a member of NAPPS clicks on the "unsubscribe" link on the bottom of any of the IPPSOA emails, the NAPPS member receives a confirmation email (see Exhibit 7) where the subject line reads "NAPPS: you are now unsubscribed." In the body of the confirmation is a very large "NAPPS... We have removed your email address from our list." The NAPPS administrator has already received emails from members fearful that they may have just opted out of receiving NAPPS emails. His actions show a clear attempt to cause confusion among our membership and for our members to second-guess their removal from his list, because they think it is NAPPS list.

It is obvious to me that Member Scott, from the moment he was accepted as a member of NAPPS, has been conducting a campaign to impugn the reputation of NAPPS using unfounded accusations. His motives are clear: drive members of NAPPS to his own discussion groups and now his own association – IPPSOA, an association that has no posted bylaws, policies or even a board of directors. He does not seek answers to his questions, but, instead accuses board members and the administrator of abusing authority, fiscal irresponsibility, violating policies and even IRS tax laws. His email campaigns continue to harass our membership by the sheer volume, not to mention the overwhelming attacks on the entire board of directors and the administrator. The time has come to put an end to this all-out assault campaign.

Respectfully submitted,

Larry Yellen
NAPPS Member

Exhibit 1

From: process@randvscott.us

Reply-to: 2200members+owners@googlegroups.com

To: 2200members@googlegroups.com

Sent: 2/21/2012 11:19:22 A.M. Central Standard Time

Subj: This NAPPS google group will be shutting down soon and replaced with a directory archive of NAPPS official documents for members only!

You are receiving this email as a member of the 2200 members google group. I have attached for you review as a member of NAPPS a request I made for records and their response. In the coming weeks I will appeal for their timely reconsideration.

I appreciate the over 200 members who peeked in but I don't want to dilute the potential of universal discussion of all members. I didn't start it to preach but learn inform and be informed. So this will be the next to last post and if you want to peek in on lively discussions and maybe even contribute go to and become a member of www.facebook.com/groups/serviceofprocess/384656471560438/

If you ever have questions about NAPPS and would like to get some records but are afraid to ask the office contact me for the IRS forms, and whatever I may get in the coming weeks. I will be getting some and how I get it depends on the board.

This is the next to last message from this google group after it will turn into a depository of NAPPS records for members only. Please go to www.facebook.com/groups/serviceofprocess/384656471560438/ I have nothing to do with the group. I am a member and appreciate the interaction. It is great discussion including important topics concerning NAPPS.

Also for those of less than faint at heart I received an email on January 12 telling me to visit <http://www.nappswatcher.com> I got this email right when I started publishing this google group. I don't know what to make of what they say there. It appears to be an organized effort to boot some out of NAPPS. I can read who they are after. Right or wrong it is drama that leads to discussion which I hope cause all members to rise up and take account of its association. Don't choose sides, or personalities but choose study and choose right!

Randy

Gary Crowe

Subject: FW: Updated page about NY donation and NAPPS lack of compliance with IRS rules

-----Original Message-----

From: "Randy Scott-Process" <process@randyscott.us>

To: <

Cc: <

>

Date: Sun, 15 Apr 2012 19:54:47 -0400

Subject: Updated page about NY donation and NAPPS lack of compliance with IRS rules

Dear NAPPS board members and IRS and other interested parties (BCC'd):

NAPPS EIN# 74-2374656 and NAPPS charters http://www.napps.org/state_associations.asp

Since the board has used a well respected firm TKW Jason Orme to support its position to convert 100K NP funds to NY I have copied every board member. It is my hope this opinion is clearly reevaluated and supported by all known facts that may have been absent in the previously disclosed material to the firm. The governing policy upon the board states only 3500.00 or 10% of the fund was available for this donation. (you can view this policy at the link I supplied on my web page below and on unnumbered page 26 of the most recent published policy material in the FALL 2011 hardcopy directory titled "Procedure for the disbursement of funds from the legislative fund" interestingly absent from any other source of the online policy manual approved by board of directors April 2009) The applications show legislative funds and the minutes reflect at least 25K of the money was approved as a "lobbying expense"

I ask your reconsideration to immediately call back 80%-90% of the 100K from NY to be in compliance with our existing policy publications and avoid tax consequences or the non-profit status to NAPPS. Failing to do this is contrary to the fiduciary responsibility towards the members. As so indicated to the board in my notice of concern in the form of a charter bylaw amendment I proposed and submitted January 2012 to the secretary and administrator of which was then published in the NAPPS March supplement and received 2 weeks prior to your decision to pass through and convert another 50K to NY on February 4, 2012.

<http://www.randyscott.us/20th/board/yellon/theanatomyof100thousanddollars.html>

I am concerned this board is destroying NAPPS. This controversy of the use on non profits funds consistent with IRS rules is substantial and near 100K and effects members as a group and as individuals in multiple states around this country. The ignoring of my appeal of records request denial of Feb 23, 2012 leaves little choice for the members to expect self directed accountability. The concern I have stated numerous times in private first and then public discussion regarding the 4 charters who receive NAPPS funds and are NOT recognized as tax exempt by the IRS for many years is a further concern over NP fund conversions. Our policy requires these associations are tax exempt. I spoke to Mr Perez about this several weeks ago. The extra 150K in revenue shown in the 2009 IRS990 and the change of accounting year in 2010 shows even more unaccounted for increased revenue. These specific concerns from me have gone without substantial response.

I am not too bold to suggest to the current board that if you do not have the desire to develop answers to save NAPPS that you do not run for reelection. If transparency and accountability is your enemy than please don't destroy the ship.

There are others who are less fearful than you to expose their personal and professional imperfections to bring the institution to a brighter tomorrow for all members. Please begin to follow all laws and all rules as your primary fiduciary purpose of correcting past actions and regaining NAPPS to accountability within the laws of the Arizona, IRS, and our own bylaws and policy.

To Mr Jason Orme:

I read your opinion letter dated December 8, 2012 and I highlight it is based on what was supplied to you. I also note that you consistently call the NY association a chapter vs. charter. I point out to you that these are charters and not chapters. The bylaws separate them as a completely autonomous entity but in practice are quite regulated by the NAPPS. I believe your complete knowledge of NAPPS bylaws, policy manual, limiting this action to 10% of the legislative fund balance may require a different conclusion than the one you opined for the NAPPS leadership consistent with their desires. In addition your opinion may be impacted how these funds were disbursed. Did it go to repay private interests who advanced the funds and would have lost if not for the NAPPS NP decision to reimburse them AFTER it was already spent? Did you evaluate if private interests stood to gain with the conversion I understand there was a payment of \$6,000.00 dollars to supply that opinion and with that cost it is my hope it included substantial independent research so your company was not used to support the conversion contrary to our 10% of the legislative fund balance. Which was at approximately \$35,000.00 of only \$3500.00 would be proper. Instead the board used you opinion to support 300% donation. Is this what you expected you opinion be used for? This 100K was 300% of our existing legislative fund balance contrary to our internal rules/policy.

To the IRS:

I request your consideration of the protection of the rights of members to know what their leadership is doing. The unique standing of members in a nonprofit organization should entitle members to know what investigations or actions your may be taking regarding the concerns brought to you. If within your power you can determine the legality of instructing this board to inform its stakeholders/members/owners of your specific inquiries so we can join all parties as active rightful participants to work together and improve and protect the organization in these compliance issues it would be greatly appreciated. In addition the board is creating policies that attempts to prevent this dialog of accountability. They have used policy to expel members who inquire into records to evaluate and hold them accountable. They recently created a policy that suggests if two or more members share among themselves financial records to evaluate the proper handling of compliance issues they will be disciplined up to and including expulsion. The board has proven this recently by expelling a formed president because he talked about finances that he believed were improperly reported to you the IRS. IRS please keep in mind the NAPPS is an organization of professionals highly skilled in following laws reading statutes and applying them for the good of the court in serving of process. The board is experienced and equally well versed and yet they choose to ignore the responsibilities you have directed them in laws of operating and reporting their activities correctly. I request your full involvement to bring our organization to your standards so all funds remain to the benefit of the membership and not the few at the bequest of the board.

Sincerely yours,

Randy Scott

Gary Crowe

From: admin@ippsoa.com
Sent: Thursday, November 15, 2012 8:29 AM
To:
Subject: Open Letter to NAPPS -5th District of Florida smackdown of process server

An Open Letter to NAPPS board members shared with all members:

All members should be allowed to vote for the board via electronic means just like the board did on October 4th, 2012!

If all members were allowed to vote they may:

- support your efforts of licensing across the country or they may not.
- support you letting Serve-Now take over the directory and promotions or not.
- support giving the local association in New York (that shared the same president) with 100K donation or not.
- support beyond board action overturning a member resignation and then appointing him into a committee chair or not
- support covering the cost of 10 board members travel and lodging, and an additional two at the expense of NAPPS and at the exclusive pleasure of the president, or not.
- support giving all state association a yearly donation that could then be used to send up to 2 each or 20 total state association leaders to the annual meeting who then vote for the NAPPS board. or not.
- support \$83.00 of each of the 2147 members due pays for administration, or not
- support \$50.00 of each of the 2147 member dues pay for trips and travels of various approved parties or not.
- support increasing the annual membership fee to \$250.00 or not
- support giving the Texas association \$25,000.00 or not
- support spending 150k to network with foreign countries in order for all the members to continue the booming foreign process that they have received over the years or not.
- approve the idea that there is no need for budget or not.
- may agree that we do not perform a yearly audit that was voted on and required from 1985 to present or not.

In the board agenda agenda :

- Our bylaws state we need a budget Yet in this agenda there is none.
- Our bylaws state you are supposed to give an email blast or post on the website before a special meeting. This board had a meeting October 4th, 2012 for the purposes of a further endorsement Serve-Now and gave no notice to anyone.
- Paul Tamaroff resigned from membership. Someone behind the scenes refused to accept the resignation even though the board accepted it without reconsideration. Then he was appointed as the AG chair who will we expel next?

Please board members apply your hard work and diligence as if you are attempting to serve a master evader! There are very limited options at this point. Either ask the tough questions or be prepared for the tough questions to be asked of you.

My recommendation first would be to find order by benchmarking the management team skills with our objectives and the requirements of law, rule, or order. And second reevaluate if it may be time to reduce the yearly membership to \$125.00 as too much money may be causing people to think it needs to be spent even if it is spent contrary to our rules or for purposes that may not be in the best interests of the operation of a non profit.

What do you think? Come join the discussion at <http://www.facebook.com/groups/processservers/>

Sincerely yours,

Randy A Scott
Administrator
Independent Professional Process Servers of America, Incorporated
(a national non profit association incorporated in Florida FEIN # 45-5489198)
created with the idea that accountability can be brought to process server associations.
343 Hazelwood Ave S
Lehigh Acres, Florida
33936
telephone: 239.300.7007
email: randy@ippsoa.com
web site : <http://www.ippsoa.com>

239.300.7007

Open letter sponsored by www.ippsoa.com come visit us and join over 300 of us free, or not. For now we are moving forward, the rest is up to others.

References:

1. NAPPS agenda for November 17, 2012 meeting
<http://www.napps.org/pdf/Meetings/Board%20Meeting%20Booklet.pdf>
2. <http://www.5dca.org/Opinions/Opin2012/110512/5D12-3187.op.pdf> Florida smack down on process server for not following rules
3. See Randy Docket Sheet article December 2011 <http://www.napps.org/docket/pdfs/s-o-n-d-2011-promotingnapps.pdf>)

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Exhibit 4

From: "Independent Professional Process Servers of America" <admin@ippsoa.com>

Date: Fri, 16 Nov 2012 17:45:02 -0500

To: [REDACTED]

ReplyTo: "Randy Scott - Administrator IPPSOA" <admin@ippsoa.com>

Subject: HOT OFF THE PRESS--NAPPS Board Officers and Directors file lawsuit against those who spoke against them.



IPPSOA will be testing our online meeting format tomorrow visit the site and join in . Very casual mostly to work through the meeting technology.

ALSO the NAPPS board of directors and officers of the National Association of Professional Process Servers filed suit #120809901 in Multnomah County Circuit Court Oregon filed August 8, 2012 against John Does 1- 8 relating to NAPPSWATCHER.COM The allegations are not fully known at this point. For now IPPSOA knows it is related to questioning the authority of the board and administration. I am ordering the file and will update with the specific allegations once it is obtained. In the mean time come over to Facebook as always that is updated much more frequently from others too.

Come join in the discussion over at Facebook <http://www.facebook.com/groups/processservers/>

Randy Scott
administrator

http://en.wikipedia.org/wiki/Krinsky_v._Doe_6

<https://www.eff.org/bloggers>
[Unsubscribe](#)

Gary Crowe

From: IPPSOA <admin=ippsoa.com@mail123.us2.mcsv.net> on behalf of IPPSOA
<admin@ippsoa.com>
Sent: Friday, November 16, 2012 5:50 PM
To: administrator@napps.org
Subject: NAPPS Board of directors and officers file lawsuit against anonymous BLOGGERS

IPPSOA

The NAPPS board of directors and officers of the National Association of Professional Process Servers filed suit #120809901 in Multnomah County Circuit Court Oregon filed August 8, 2012 against anonymous bloggers John Does 1- 8 relating to NAPPSWATCHER.COM.

The allegations are not fully known at this point. For now IPPSOA knows it is related to the NAPPSWATCHER.com site and the anonymous bloggers who posted on it. The bloggers question the administrations unaudited financial practices as it relates to accounting of the association finances.

I am ordering the file and will update with the specific allegations once it is obtained. In the mean time come over to Facebook group as always that is updated and contributed by others too. I also have an entire copy of NAPPSWATCHER.com before they were deleted and I will be updating IPPSOA to dive into the merits and truth of the comments posted there as the case progresses.

Remember in a previous email I sent I talked about the 100K to New York. Well, this suit was brought based on a motion and a second at the annual meeting in Boston in April 2012. The motion was made by Gerald Colasurdo and seconded by Tim Couch to find the nappswatcher.com creators and those who anonymously posted on it and all the authors of negative posts against NAPPS board everywhere on the internet and to remove them from the association if they are members.

The overwhelming majority of the attendees at the NAPPS conference in Boston on April 2012 were members of the New York association that received the 100K from NAPPS. During the new business session of this meeting there were 2 motions. The one I mentioned related to NAPPSWATCHER.com and this lawsuit now officially filed. The second one is a doozy also. It is a Motion by Alan Goodman to rescind the resolution from 1985 for an annual audit, 2nd by Paul Tamaroff . Yes I said rescind the audit requirement from 1985. You think that motion appeared with little forethought or planning? In those 27 years there was never one audit by a CPA. This was brought to

the members attention by the honorable Steve Janney who was the treasurer leading up to the conference in Boston. Can you guess what happened in Boston? The conference overwhelmingly consisting of New York members voted to replace Mr Janney with Mr Ezell. When I say overwhelmingly New York it was about 45 of the 130 voters. The entire east coast area around New York made up at least 75% of those in attendance. I clarified and state New York just to show the problem with the system not necessarily the people. Next year it is in Arizona are you prepared for the big flip or can we change this whole ying and yang so all members can have a say? Let us vote online!

Yes only two motions at this conference passed one to codify the failure to perform an audit for 27 years by rescinding the action from 27 years ago and the other to investigate and kick out anonymous bloggers saying bad things about the board and it officers.

Lucky for me I am not anonymous I suppose. And for everyone else what I am talking about are public policy issues relating to a non profit association. That means this association received federal tax subsidies by not having to pay certain taxes. In fact the general public has a right to know if the tax exempt status is properly managed. The general public has a right to request the tax returns whether they are a member or not. In furtherance of this fact NAPPS has become a competitive necessity for most small process servers because of their directory. In this matter even non members could force placement in the directory. Check anti-trust law they will confirm competitive necessity and trade association access. This is an important link in regards to the application of the US Constitutional provision of freedom of speech. Private organization may indeed limit speech but if that speech is by design to prevent the public knowledge involving public policy issues it creates a significant conflict that must error with freedom of speech.

Finally, due to the recent knowledge of the filed lawsuit and since this email has come so quick to the prior one I want to include two previous matter of litigation that NAPPS has been involved going back to 2004 and 2005. I am very confident very few members were ever aware of these. Every state association should be knowledgeable of this issue from Washington because states are more ripe to anti trust concerns than the national is. You can find the files at these following links.

This link relates to NAPPS suing a domain name owner but then terminating the case. These web sites are still operational today.

http://www.wipo.int/amc/en/domains/search/case.jsp?case_id=8383

This link relates to an Sherman Antitrust and business interference case against NAPPS and the Washington State Association settled in 2005 for an undisclosed amount. It is a very important case for state association to study the depositions of the participants are in the deposition folder at the link. This suit was brought when the State Association and the National Association shared presidents
<https://docs.google.com/folder/d/0B3NzxdOCxalNdHluc19COTFPR1E/edit>

That is why I write to all 2000 members because I believe you should know and I propose all 2000 members should be able to vote so the few can be properly placed and overcome by the many.

Come visit and join IPPSOA.com to bring purpose and strength and equal placement at the table for the independent process server and bring NAPPS with us to reason together under equal application of all rules for all members all the time.

Randy Scott
IPPSOA
administrator and a
NAPPS member for real change

[FACEBOOK GROUP DISCUSSION http://www.facebook.com/groups/processservers/](http://www.facebook.com/groups/processservers/)

INTERESTING CASES ON BLOGGING:

http://en.wikipedia.org/wiki/Krinsky_v._Doe_6

<https://www.eff.org/bloggers>

thank you

Unsubscribe administrator@napps.org from this list.

Our mailing address is:
IPPSOA
343 Hazelwood Avenue S
Lehigh Acres, FL 33936

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Gary Crowe

From: admin@ippsoa.com
Sent: Friday, November 16, 2012 6:46 AM
To: administrator@napps.org
Subject: Hello Texas Surprise I will tell you.....NAPPS meeting is in New Orleans tomorrow at 9:00 am

Hello Texas!

The following is a letter I just sent out to the NAPPS board and others just simply asking for some transparency by presenting questions relating to their meetings and finances. I know your local leaders will be at this meeting, as they have a goal of tapping into some NAPPS funds, but there is nothing like getting members directly to step up and remind our leaders who OUR National association is.

Please consider attending and showing your support for accountability and fiscal soundness in representing our causes and our money. Here is the letter I just sent to the board. This email is sponsored and paid for by IPPSOA.com where attempts at communication provides a vehicle for transparency that all members can recognize.

Thank you for your time and hope this email meets you well. If you go because I communicated this to you please let me know. All I need is one!

Thank you

Randy Scott

Here is the email that was just sent to the NAPPS board:

beginning of email copy

Dear Board Members and NAPPS Members:

I checked out the agenda and the financials from the link provided for the Louisiana agenda for the meeting to be held tomorrow in New Orleans. In my comments and questions use it to look closely at this Louisiana meeting to see who is authorized to be paid to be there and WHO authorizes it and UNDER what authority do they have that power? It should just be 9 board members and the administrator and his assistant or 11 stipends and 22 hotels units. For the purposes of member PR I would recommend no cruises or other significant events to be piggybacked on this trip. The agenda is here <http://www.napps.org/pdf/Meetings/Board%20Meeting%20Booklet.pdf>.

In the financials in the agenda and on line item 6089 it shows \$10,500.00 in travel fees for the quarterly meeting at Fort Lauderdale in Feb 2012. This must be the \$750.00 stipend as allowed under the bylaw. That amount would equate to 14 stipend recipients. I can account for the 9 board members and Gary and Claire for 11 of them who are the other 3, what are their names and why did NAPPS pay for them to be there and under what authority in rules, law, or order did it occur?

For the same meeting and on line item 6088 it shows \$7,173.66 for hotel expenses or lodging. In NAPPS bylaws at <http://www.napps.org/members-bylaws.aspx> it states lodging expenses for the "board members" will be paid also. It is reasonable that Gary and Claire lodging should be included and probably is for 2 nights only. But....at 179.00 plus tax at the Sheraton on Griffin lets round it up to \$200.00 a unit. Divide the \$7173.66 by 200.00 and you will find over 35 units. If each known eligible person gets two nights that would be 22 units. Who received the additional 13 units, what are their names and why did NAPPS pay for them to be there and under what authority in rules, law, or order did it occur?

Regretfully these discrepancies teamed up with the private cruise that was taken at this Fort Lauderdale meeting (of course the cruise was not paid for by the NAPPS, but getting there certainly saved the participants some funds) is not good PR in this lean days of purpose. I was prepared to go to this meeting in Fort Lauderdale but as soon as I hear the board was cruising together I decided it wasn't a meeting worth attending as the board minds may be elsewhere. This is sling shot finances and probably should not be done on a non profits dime, at least until it proves accountability to those they represent.

This is a very small example why we need the audit that was called for in 1985. Simply we need an audit to confirm our finances are authorized.

I would like to know who beyond the bylaws and policy are having their travel or lodging paid for by my association dollars to attend these events. Specifically who authorizes it and under what authority?

What are the names of everyone who received the stipend for that meeting?

What are the names of everyone that received their lodging paid for in whole or in part by association funds?

Finally- November 15, 2012 was the deadline to file the IRS990 and the return is signed under penalty of perjury. Penalty of perjury is a foundational issue known to the conscience of every member in our trade! The 990 for 2011 states in Part VI section B line 11a it states the following: "Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?" If this has been filed timely by the required date of 11/15/2012 have you as board members seen it? If not why not? AND if you have not seen it was it filed already? If they give you a copy was it already filed? When you get a copy how was that box checked? If you are unable to get the copy that was filed you can request it here with the IRS directly. <http://www.irs.gov/pub/irs-pdf/fl3909.pdf>

Here is a blank 990 for you. <http://www.irs.gov/pub/irs-pdf/f990.pdf>

Thank you

Randy Scott

end of email copy

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From: IPPSOA <admin@ippsoa.com>
Subject: NAPPS: You are now unsubscribed
Date: November 18, 2012 6:59:44 AM EST
To: [REDACTED]

Exhibit 7

NAPPS

We have removed your email address from our list.

We're sorry to see you go.

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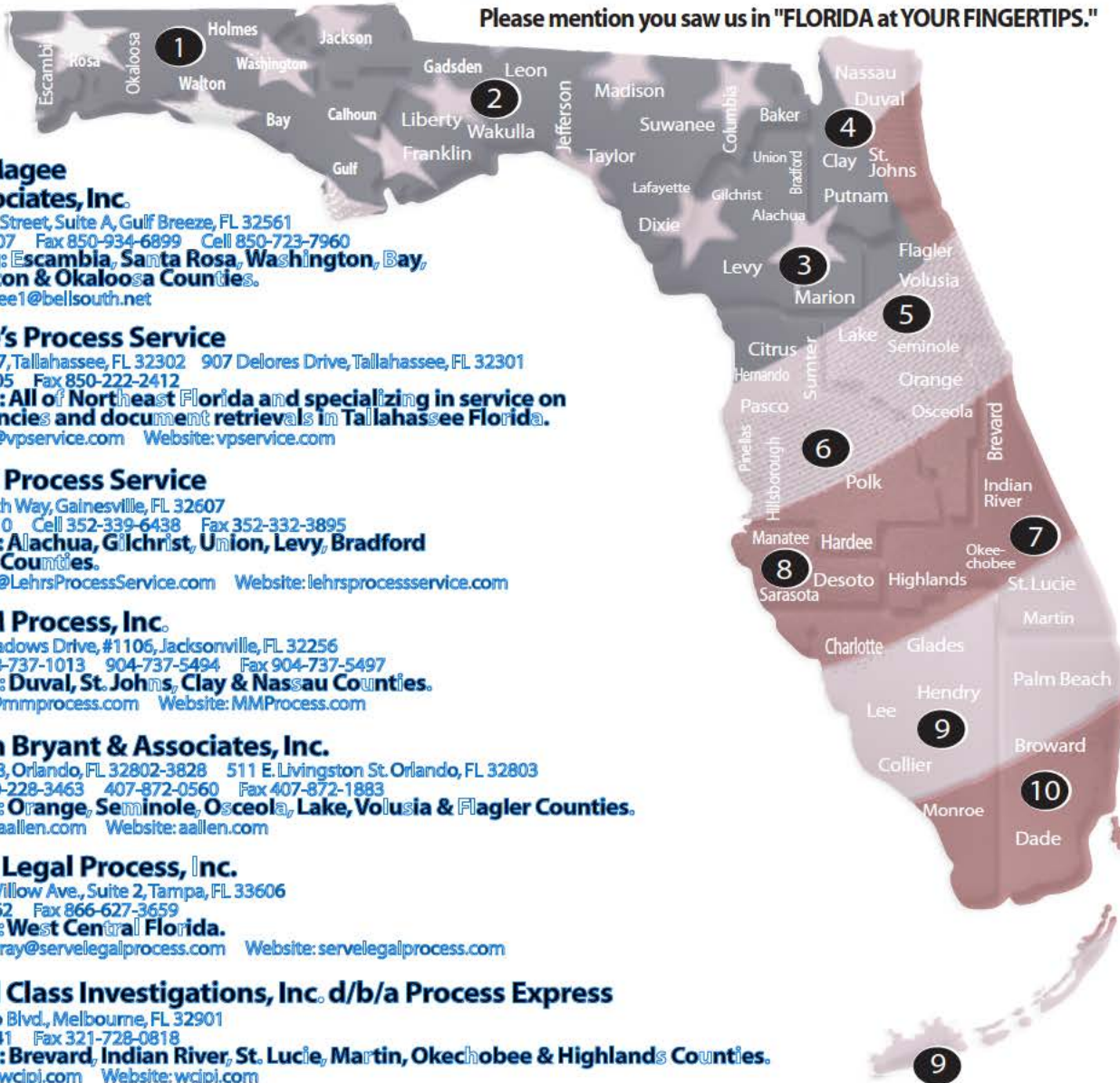
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Please mention you saw us in "FLORIDA at YOUR FINGERTIPS."



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Servicing: All of Northeast Florida and specializing in service on state agencies and document retrievals in Tallahassee Florida.
Email: todd@vpsservice.com Website: vpsservice.com

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1017 SW 86th Way, Gainesville, FL 32607
352-331-1010 Cell 352-339-6438 Fax 352-332-3895
Servicing: Alachua, Gilchrist, Union, Levy, Bradford & Marion Counties.
Email: Steve@LehrsProcessService.com Website: lehrsprocessservice.com

4 M & M Process, Inc.

7801 Pt. Meadows Drive, #1106, Jacksonville, FL 32256
Toll Free 888-737-1013 904-737-5494 Fax 904-737-5497
Servicing: Duval, St. Johns, Clay & Nassau Counties.
Email: olga@mmprocess.com Website: MMProcess.com

5 Aallen Bryant & Associates, Inc.

P.O. Box 3828, Orlando, FL 32802-3828 511 E. Livingston St. Orlando, FL 32803
Toll Free 800-228-3463 407-872-0560 Fax 407-872-1883
Servicing: Orange, Seminole, Osceola, Lake, Volusia & Flagler Counties.
Email: info@aallen.com Website: aallen.com

6 Serve Legal Process, Inc.

309 South Willow Ave., Suite 2, Tampa, FL 33606
813-254-8762 Fax 866-627-3659
Servicing: West Central Florida.
Email: wmurray@servelegalprocess.com Website: servelegalprocess.com

7 World Class Investigations, Inc. d/b/a Process Express

753 S Apollo Blvd., Melbourne, FL 32901
321-728-0641 Fax 321-728-0818
Servicing: Brevard, Indian River, St. Lucie, Martin, Okechobee & Highlands Counties.
Email: info@wcipi.com Website: wcipi.com

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3293 Fruitville Road, Suite 106, Sarasota, FL 34237
Toll Free 800-621-4129 941-954-0169 Fax 941-954-1349
Servicing: Sarasota, Manatee, Desoto & Charlotte Counties.
Email: officestaff@hctjudge.com Website: hctjudge.com

9 South Florida Legal Services

2267 First Street, Ste. 19, Ft. Myers, FL 33901
239-332-7000 Fax 239-337-2100
Servicing: Charlotte, Lee, Collier, Monroe, Hendry & Glades Counties.
Email: SFLSNAPLES@aol.com Website: southfllegal.com

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8330 State Road 84, Ft. Lauderdale, FL 33324
Toll Free 800-527-6401 954-474-4867 Fax 954-452-7313
Servicing: Broward, Dade & Palm Beach Counties. Same day service of CT Corporation.
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THE DOCKET SHEET

THE OFFICIAL NEWSLETTER
OF THE
NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

DECEMBER 1990

DELAWARE STATE AGENCY GIVES BIG BOOST TO NAPPS

Child Support Enforcement contract mandates that only NAPPS members can serve process

Delaware Health and Social Services becomes the first state agency in the nation to officially recognize the vitally important role NAPPS performs as the leader in our industry.

The agency, which previously used the services of the sheriff for serving its Child Support Enforcement process, now has switched to using private process servers. But when making this change, the agency, having no prior experience in using private process servers, faced a serious problem - how to distinguish the competent from the incompetent process servers.

Fortunately for NAPPS, member Bill Golt was one of the persons agency director Barbara Paulin turned to for advice. He obviously did an excellent job in promoting this Association.

In her recent letter to NAPPS, Director Paulin stated that as a result of her meeting with Mr. Golt, "the membership requirement became a part of our contract specifications." And, she added, "We support having professional standards for such important work."

This is a milestone for NAPPS. Being singled out as the standardbearer for an entire industry is a great honor. It's the kind of recognition most associations strive for but never receive.

Bill Golt, we salute you!

President's Message

HOLIDAY GREETINGS!!!

As the season of merriment and taxes approaches we look back over the past 12 months which I hope has been prosperous for all. Amidst the celebrations of good cheer we should take this opportunity to assess what we have achieved this year, to view whether we have accomplished all that we wanted and to set our goals for the next year as individuals and as an association. I am pleased with all that NAPPS has done this year and look forward to ringing in the New Year with your support and ideas for the future.

I wish each and every one of you and your families a safe and a peaceful holiday season. I hope you all enjoy the cheer of those office parties, the bustle of holiday shopping and the warmth of friends and family.

Most importantly, I hope you celebrate safely and wisely. Don't drink and drive and don't take unnecessary chances. I want each of you still to be with us when the partying is over.

On behalf of myself, my family and the NAPPS board of directors, I extend heartfelt wishes of peace, happiness and good will to all. **HAPPY HOLIDAYS!!!**

David M. Schirtzer
President

CALSPRO NAPPS affiliated associations

Arkansas Professional Process Servers Association (ARPPSA)

President: Shawn McKinney

Phone: (501) 354-2111

For more information: www.arppsa.com

Illinois Association of Professional Process Servers (ILAPPS)

President: William "Bill" Clutter

Phone: (217) 528-5997

For more information: www.ilapps.com

Louisiana Professional Process Servers Association (LPPSA)

President: William Humble

Phone: (225) 270-4633

For more information: www.lppsa.org

Mid Atlantic Association of Professional Process Servers (MAAPPS)

President: Stephen Folcher

Phone: (410) 523-4980

For more information: www.maapps.org

Minnesota Professional Process Servers Association (MNPPSA)

President: John Levesque

Phone: (612) 332-0202

For more information: www.mnppsa.org

Mississippi Association of Professional Process Servers (MAPPS)

President: Davy Keith

Phone: (601) 319-2675

For more information: www.mappsprocess.org

North Carolina Association of Professional Process Servers (NCAPPS)

President: Ruth Reynolds

Phone: (704) 338-1775

For more information: www.ncapps.org

South Carolina Professional Process Servers Association (SCPPSA)

President: Ron Grossberg

Phone: (803) 216-1621

For more information: scppsa.weebly.com/

Utah Professional Association of Legal Services (UPALS)

President: Ronda Godard

Phone: (877) 986-1200

For more information: www.upals.org/

Arizona Process Servers Association (APSA) Chartered in 1986

President: Thomas LaVance

Phone: (602) 256-9700

For membership Info contact:

APSA Admin. Office (602) 476-1737
P.O. Box 2233
Phoenix, AZ 85002
website: www.arizonaprocessservers.org

California Association of Legal Support Professionals (CALSPRO) Chartered in 1985
President: Michael Kern
Phone: (213) 483-4900
For membership info contact:
CALSPRO Admin. Office (916) 239-4065
2520 Venture Oaks Way, #150
Sacramento, CA 95833
e-mail: info@calspro.org
website: www.calspro.org

Process Servers Association of Colorado (PSACO) Chartered in 2013
President: Steven Glenn
Phone: (720) 253-5773
For membership info contact:
Steven Glenn (720) 253-5773
8457 E. Arapahoe Road, J-593
Greenwood Village, CO 80112
e-mail: sdg@mdpriority.com
website: www.psaco.org

Florida Association of Professional Process Servers (FAPPS) Chartered in 1993
President: Lance Randall
Phone: (954) 944-3900
For membership info contact:
Diana Wardwell (877) 383-2777
P.O. Box 72
Melbourne, FL 32902-0072
e-mail: administrator@fapps.org
website: www.fapps.org

Georgia Association of Professional Process Servers (GAPPS) Chartered in 2013
President: Deborah Duchon
Phone: (404) 872-1200
For membership info contact:
Paul Tamaroff (404) 872-1200
P.O. Box 7710
Atlanta, GA 30315-4403
e-mail: deb@aps-ga.net
website: www.gappsprocess.com

Michigan Court Officer, Deputy Sheriff & Process Servers Association (MCODSA)
Chartered in 2007
President: Tim Sutherland
Phone: (586) 939-0880
For membership info contact:
MCODSA Admin. Office (800) 99-CIVIL

3105 S. Martin Luther King Blvd.
Lansing, MI 48910
e-mail: president@mcodsa.com
website: www.mcodsa.com

New Jersey Professional Process Servers Association (NJPPSA) Chartered in 2002
President: Gerald Colasurdo
Phone: (973) 403-1700
For membership info contact:
Ethel Smith (732) 431-9112
378 Taylors Mills Road
Englishtown, NJ 07726
e-mail: info@njppsa.org
website: www.njppsa.org

New York State Professional Process Servers Association (NYSPPSA) Chartered in 2002
President: Bruce Kenney
Phone: (716) 372-1001
For membership info contact:
Brenda Kolniak (888) 258-8485
PO Box 925
Orchard Park, NY 14127
e-mail: admin@nysppsa.org
website: www.nysppsa.org

Oregon Association of Process Servers, Inc. (OAPS) Chartered in 1995
President: Aaron Crowe
Phone: (503) 241-0636
For membership info contact:
Pat Bennett (503) 990-6637
e-mail: membership@oapsonline.com
website: www.oapsonline.com

Tennessee Association of Professional Process Servers (TAPPS) Chartered in 2012
President: James C. Belli
Phone: (615) 573-4708
For membership info contact:
Paul M. Moore, Secretary (615) 969-2443
P.O. Box 426
Gallatin, Tennessee 37066
e-mail: info@tntapps.org
website: www.tntapps.org

Texas Process Servers Association (TPSA) Chartered in 2002
President: Kathy Burrow
Phone: (254) 399-9400
For membership info contact:
Brenda Atteberry (254) 399-9400
815-A Brazos Street, Ste. 548
Austin, TX 78701
e-mail: tpsaooffice@gmail.com

website: www.texasprocess.org

Washington State Process Servers Association (WSPSA) Chartered in 1988

President: Robin K. Mullins

Phone: (360) 671-2455

For membership info contact:

Eric Vennes (206) 356-0875

13300 Bothell Everett Hwy., Box #674

Mill Creek, WA 98012

e-mail: exdirector@wspsa.com

website: www.wspsa.com



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.

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) 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.

Subject to final review and disapproval by the Board of Directors, any article, commentary, or advertisement submitted to the NAPPS Administrator, or such other person in charge of causing the material to be published, shall be printed as submitted, provided that such article, commentary, or advertisement is not in conflict with this Policy.

Elements Impacting on a NAPPS Publication Policy

NAPPS Stated Purposes

Bylaws- Article II – PURPOSE

To promote, upgrade, and perpetuate the process serving profession through the following objectives:

Section 1. Promoting legislation and rules which will advance the profession.

Section 2. Combating legislation and rules which may harm the profession.

Section 3. Promoting and maintaining professional and ethical standards for the profession.

Section 4. Improving relations between the profession and the legal community - attorneys, judges, clerks and officers of the court - and the general public, both nationally and internationally.

Section 5. Assisting in the formation and continuation of state and regional associations representing the profession.

Section 6. Promote the National Association of Professional Process Servers to the legal community and to the general public.

NAPPS Policies

The written policies established by the NAPPS Board of Directors are set forth NAPPS Policy Manual that can be viewed at www.napps.org/members-policy.aspx, and in the NAPPS Code of Ethics that can be viewed at www.napps.org/members_code.asp.

legislative hearing or meeting with a lobbyist. These expenses cannot be paid with funds out the General Account, but rather should be paid out of the Legislation Fund. Gary would like to see the Board adopt a policy to allow those types of expenses to be paid out of the Legislative Fund. Paul will work on wording for this new policy and present it to the board at the November meeting.

- **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.

- **GAPPS Request for Legislative Funds**

Paul Tamaroff presented the request to the Board for assistance with federal litigation against all sheriffs in the state of Georgia as presented in the booklet.

Motion by Lance Randall to grant 10% of Legislative Fund (\$4,502.10) to GAPPS for their current legislative efforts, 2nd by Fred Blum

Discussion ensued. Sue Collins is concerned that this may hurt the relationship that the National Relations Committee has worked so hard to garner with the NSA. Fred asked Paul if he would be open to dialog with the NSA and Paul stated no, he has been involved in two years of negotiations with no luck. The Georgia sheriffs are refusing to abide by current Georgia law by turning this process over to process servers.

Vote: Motion passes

Motion by Mike Compton to grant an additional 10% of the Legislative Funds (\$4,051.89) to GAPPS for their legislative efforts, 2nd by Tim Couch

Vote: motion passes

- **PSACO Request for Chartered Status**

Steve Glenn presented the request to the Board as outlined in the booklet. Fred brought up his concerns of low member numbers, low treasury, poor record keeping and being a newer association. Fred thinks what they are doing in Colorado is great and it should continue, however, he believes they need to wait awhile before applying for chartered status in NAPPs. Lance brought concerns of expense and lack of Board Members which Steve addressed. Discussion ensued. Many remarks of Steve's passion, leadership were commented on.

Motion by Lance Randall to accept PSACO as a Chartered State Association in NAPPs, 2nd by Tim Couch

Vote: motion passes