

RICHARD BLUMENTHAL
ATTORNEY GENERAL



MacKenzie Hall
110 Sherman Street
Hartford, CT 06105-2294

Office of The Attorney General
State of Connecticut

May 29, 2008

Civil Clerk's Office
Superior Court
95 Washington Street
Hartford, CT 06106

Re: State v. American Future Systems, Inc. d/b/a Progressive Business Publications

Dear Clerk's Office:

Enclosed, please find an original writ, summons, and complaint for filing. The marshal's return of service and supplemental return are also included. If you have any questions, please contact me at (860) 808-5400. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary M. Tan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary M. Tan
Assistant Attorney General

Enc.

SUMMONS - CIVIL
(Except Family Actions)

JD-CV-1 Rev. 1-2000
C.G.S. § 51-346, 51-347, 51-349, 51-350, 52-45a,
52-48, 52-259, P.B. Secs 3-1 thru 3-21, 8-1

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov

INSTRUCTIONS

1. Type or print legibly; sign original summons and conform all copies of the summons.
2. Prepare or photocopy conformed summons for each defendant.
3. Attach the original summons to the original complaint, and attach a copy of the summons to each copy of the complaint. Also, if there are more than 2 plaintiffs or 4 defendants prepare form JD-CV-2 and attach it to the original and all copies of the complaint.
4. After service has been made by a proper officer, file original papers and officer's return with the clerk of court.
5. The party recognized to pay costs must appear personally before the authority taking the recognizance.
6. Do not use this form for actions in which an attachment, garnishment or replevy is being sought. See Practice Book Section 8-1 for other exceptions.

TO: Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

"X" ONE OF THE FOLLOWING:
Amount, legal interest or property in demand, exclusive of interest and costs is:

less than \$2,500
 \$2,500 through \$14,999.99
 \$15,000 or more

("X" if applicable)
 Claiming other relief in addition to or in lieu of money or damages.

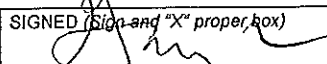
RETURN DATE (Mo., day, yr.)
(Must be a Tuesday) **06/17/08**

<input checked="" type="checkbox"/> JUDICIAL DISTRICT <input type="checkbox"/> HOUSING SESSION	<input type="checkbox"/> G.A. NO. _____	AT (Town in which writ is returnable) (C.G.S. 51-346, 51-349) Hartford	CASE TYPE (See JD-CV-1c) Major M Minor 90
ADDRESS OF COURT CLERK WHERE WRIT AND OTHER PAPERS SHALL BE FILED (No., street, town and zip code) (C.G.S. 51-346, 51-350) 95 Washington Street, Hartford, CT 06106			TELEPHONE NO. (with area code) (860) 548-2700

PARTIES	NAME AND ADDRESS OF EACH PARTY (No., street, town and zip code)	NOTE: Individuals' Names: Last, First, Middle Initial	<input type="checkbox"/> Form JD-CV-2 attached	PTY NO.
FIRST NAMED PLAINTIFF	State of Connecticut, 110 Sherman Street, Hartford, CT 06105			01
Additional Plaintiff				02
FIRST NAMED DEFENDANT	American Future Systems, Inc. d/b/a Progressive Business Publications, c/o "Secretary", American Future Systems, Inc. d/b/a Progressive Business Publications, 370 Technology Drive, Malvern, PA 19355			50
Additional Defendant				51
Additional Defendant				52
Additional Defendant				53

NOTICE TO EACH DEFENDANT

1. YOU ARE BEING SUED.
2. This paper is a Summons in a lawsuit.
3. The Complaint attached to these papers states the claims that each Plaintiff is making against you in this lawsuit.
4. To respond to this Summons, or to be informed of further proceedings, you or your attorney must file a form called an "Appearance" with the Clerk of the above-named Court at the above Court address on or before the second day after the above Return Date.
5. If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default.
6. The "Appearance" form may be obtained at the above Court address.
7. If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately take the Summons and Complaint to your insurance representative.
8. If you have questions about the Summons and Complaint, you should consult an attorney promptly. **The Clerk of Court is not permitted to give advice on legal questions.**

DATE May 6, 2008	SIGNED (Sign and "X" proper box) 	<input checked="" type="checkbox"/> Comm. of Superior Court <input type="checkbox"/> Assistant Clerk	TYPE IN NAME OF PERSON SIGNING AT LEFT Gary M. Tan
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FOR THE PLAINTIFF(S) PLEASE ENTER THE APPEARANCE OF:		TELEPHONE NUMBER (860) 808-5400	JURIS NO. (If atty. or law firm) 415573
NAME AND ADDRESS OF ATTORNEY, LAW FIRM OR PLAINTIFF IF PRO SE (No., street, town and zip code) Gary M. Tan, 110 Sherman Street, Hartford, CT 06105			

NAME AND ADDRESS OF PERSON RECOGNIZED TO PROSECUTE IN THE AMOUNT OF \$250 (No., street, town and zip code)				SIGNATURE OF PLAINTIFF IF PRO SE	
# PLFS.	# DEFS.	# CNTS.	SIGNED (Official taking recognizance; "X" proper box)	<input type="checkbox"/> Comm. of Superior Court <input type="checkbox"/> Assistant Clerk	<i>For Court Use Only</i>
1	1	6			FILE DATE

IF THIS SUMMONS IS SIGNED BY A CLERK:

- a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts.
- b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law.
- c. The Clerk is not permitted to give any legal advice in connection with any lawsuit.
- d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service thereof.

I hereby certify I have read and understand the above:	SIGNED (Pro Se Plaintiff) 	DATE SIGNED	DOCKET NO.
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ORIGINAL

STATE OF CONNECTICUT	:	SUPERIOR COURT
<i>Plaintiff</i>	:	
	:	
V.	:	
	:	
AMERICAN FUTURE SYSTEMS, INC.	:	JUDICIAL DISTRICT
D/B/A PROGRESSIVE BUSINESS	:	OF HARTFORD
PUBLICATIONS	:	
<i>Defendant</i>	:	MAY 6, 2008

COMPLAINT

COUNT ONE

1. This is an action arising under the Connecticut Unfair Trade Practices Act ("CUTPA"), Chapter 735a of the General Statutes, and more particularly, Conn. Gen. Stat. § 42-110m(a) and Conn. Gen. Stat. § 42-110o(b), to obtain injunctive relief against the Defendant's alleged violations of Conn. Gen. Stat. § 42-110b(a), and such other equitable relief as the court deems appropriate.

THE PARTIES

2. Plaintiff is the State of Connecticut (hereinafter "State" or "Connecticut") represented by Richard Blumenthal, Attorney General, acting at the request of Jerry Farrell, Jr., Commissioner of Consumer Protection (the "Commissioner"), pursuant to the authority of Chapter 735a of the Connecticut General Statutes, and more particularly, Conn. Gen. Stat. § 42-110m(a).

3. Defendant American Future Systems, Inc., d/b/a Progressive Business Publications is, and at all relevant times was, a corporation organized and existing under the laws of Pennsylvania, with its principal place of business at 370 Technology Drive, Malvern, PA 19355.

4. The Defendant registered on June 20, 1973 with the Connecticut Secretary of State's Office to do business in the State of Connecticut. However, on August 19, 1988, the Defendant's registration was revoked by the Connecticut Secretary of State, which is the status of the Defendant's registration as of the date of this Complaint.

5. Whenever reference is made in this Complaint to any act or practice of the Defendant, such allegation shall be deemed to mean that the principals, officers, directors, employees, agents or representatives of said Defendant did, or authorized, such act or practice, on behalf of said Defendant while actively engaged in the scope of their duties.

6. In the ordinary course of its business, and at all times relevant hereto, the Defendant has offered for sale, sold, and distributed posters regarding federal and state laws to consumers in Connecticut.

DEFENDANT'S VIOLATIONS OF CUTPA

7. The Defendant's course of conduct, as alleged herein, has been undertaken in the conduct of trade and commerce as defined in Conn. Gen. Stat. § 42-110a(4).

8. On at least one occasion, on or about February 28, 2008, the Defendant, through its Progressive Business Compliance division, sent a business in Connecticut, via facsimile, unsolicited

advertising material for both its Connecticut Healthcare Advocate poster and a complete set of eleven posters (see Defendant's solicitation attached as Appendix A).

9. The Defendant has made or caused to be made, directly or indirectly, explicitly or by implication, representations and omissions to certain Connecticut consumers, including, but not limited to, the representation that the solicitation is an official notice from the Connecticut Healthcare Advocate.

10. Contrary to the Defendant's representation, the solicitation is not an official notice from the Connecticut Healthcare Advocate.

11. The Defendant's representations, omissions, and practices, as alleged herein, have been and are material, false, and likely to mislead recipients of the Defendant's solicitations and, therefore, constitute deceptive acts and practices in violation of Conn. Gen. Stat. § 42-110b(a).

12. The Defendant, by misrepresenting its affiliation, connection, or association with a government agency regarding the sale of posters, violated § 42-110b-18(d) of the Regulations of Connecticut State Agencies, which constitutes a *per se* violation of CUTPA.

13. The Defendant, by violating § 42-110b-18(d) of the Regulations of Connecticut State Agencies, committed unfair or deceptive trade practices.

COUNT TWO

1-13. The allegations of paragraphs 1-13 of the First Count are incorporated herein as paragraphs 1-13 of the Second Count.

14. The Defendant has engaged in the acts or practices alleged herein when it knew or should have known that its conduct was unfair or deceptive, in violation of Conn. Gen. Stat. § 42-110b(a).

COUNT THREE

1-7. The allegations of paragraphs 1-7 of the First Count are incorporated herein as paragraphs 1-7 of the Third Count.

8. The Defendant's failure to obtain a current certificate of authority from the Connecticut Secretary of the State violates public policy, including, but not limited to, the public policy requiring a foreign corporation to obtain a certificate of authority from the Secretary of the State before it transacts business in this state, as set forth by Conn. Gen. Stat. § 33-920(a).

9. The Defendant's acts and practices, as alleged herein, constitute unfair acts or practices in violation of Conn. Gen. Stat. § 42-110b(a).

COUNT FOUR

1-9. The allegations of paragraphs 1-9 of the Third Count are incorporated herein as paragraphs 1-9 of the Fourth Count.

10. The Defendant willfully engaged in the acts or practices alleged herein when it knew or should have known that its conduct was unfair, in violation of Conn. Gen. Stat. § 42-110b(a).

COUNT FIVE

1-8. The allegations of paragraphs 1-8 of the First Count are incorporated herein as paragraphs 1-8 of the Fifth Count.

9. The Defendant's practice of sending unsolicited advertising material, via facsimile, to persons in Connecticut violates public policy, including, but not limited to, the public policy prohibiting the sending of unsolicited advertising material via facsimile to persons in Connecticut, as set forth in Conn. Gen. Stat. § 52-570c(a).

COUNT SIX

1-9. The allegations of paragraphs 1-9 of the Fifth Count are incorporated herein as paragraphs 1-9 of the Sixth Count.

10. The Defendant willfully engaged in the acts or practices alleged herein when it knew or should have known that its conduct was unfair, in violation of Conn. Gen. Stat. § 42-110b(a).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff State of Connecticut prays this Court for the following relief:

1. Enter judgment against the Defendant and in favor of the Plaintiff on each Count of this Complaint;
2. Permanently enjoin and restrain the Defendant, its principals, officers, directors, representatives, successors, assigns, employees, and all other persons acting in active concert with or on their behalf, pursuant to Conn. Gen. Stat. § 42-110m(a), from further violations of Conn. Gen. Stat. § 42-110b.
3. An order, pursuant to Conn. Gen. Stat. § 42-110o(b), directing the Defendant to pay civil penalties of not more than \$5,000 for each willful or per se violation of Conn. Gen. Stat. § 42-110b(a);
4. An award of reasonable attorneys fees, pursuant to Conn. Gen. Stat. § 42-110(m)a;
5. Consumer restitution;
6. Costs of this suit; and
7. Such other and further relief as this court deems proper and just.

Plaintiff hereby states that the amount in controversy is more than Fifteen Thousand Dollars (\$15,000.00), exclusive of interest and costs.


HEREOF FAIL NOT, BUT OF THIS WRIT, MAKE DUE SERVICE AND RETURN ACCORDING TO LAW.

Dated at Hartford, Connecticut this 6th day of May, 2008.

PLAINTIFF
STATE OF CONNECTICUT

RICHARD BLUMENTHAL
ATTORNEY GENERAL

BY:



Gary M. Tan
Assistant Attorney General
Juris No. 415573
110 Sherman Street
Hartford, CT 06105
Tel: (860) 808-5400
Fax: (860) 808-5593

APPENDIX A

1. The first part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
2. The second part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...

3. The third part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
4. The fourth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...

5. The fifth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
6. The sixth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...

7. The seventh part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
8. The eighth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...

9. The ninth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
10. The tenth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
11. The eleventh part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...
12. The twelfth part of the document is a list of the names of the members of the committee who were appointed to study the problem of the...

CONNECTICUT HEALTHCARE ADVOCATE

OFFICIAL NOTICE

Connecticut has just released a NEW poster. Employers are now required to post the Healthcare Advocate poster which lists employee's rights to health insurance under Connecticut Law. Failure to display all required State and Federal posters can lead to fines of up to \$7,500.

The *Complete Connecticut State Kit* includes ELEVEN updated Connecticut posters in one convenient package, ensuring you are in compliance.

Replace your posters today with the most updated versions. Call 800-226-2327 for a free compliance consultation for both your federal and state posting requirements or simply fax this form to 888-557-5639. You can also visit www.pbcompliance.com.

Thank you for being a customer of Progressive Business Publications. We look forward to helping you with your future compliance needs.

Description	Price	Quantity	Total
Connecticut Healthcare Advocate (PCTHEALTE-08)	\$12.99		5
Complete Connecticut State Kit (PCTSKITE)	\$89.99		5

Each location or branch office must post separately

Subtotal _____

PA Residents Add 6% _____

Total _____

*A minimum \$7 shipping and handling charge will be added to your order.

BILL ATKINS
DIRECTOR OF SAFETY
NAMCO
100 SANRICO DR
MANCHESTER, CT 6040

P0228PX327CT2

Payment Method

Charge my: VISA MC AMEX DC

Card #: _____

Expires: ____/____

Authorized signature: _____

Bill me later

Name: _____

Phone Number: _____
(required)

Email: _____
(Allows confirmation of your order)

D3151729-1578

To be removed from future faxes, please initial here _____ and fax to 866-420-7439.
As required by law, you will be opted-out within 30 days.

Progressive Business Compliance (PBC), a division of Progressive Business Publications
Phone 800-226-2327 • Fax 888-557-5639 • www.pbcompliance.com

STATE OF CONNECTICUT)

) SS: HARTFORD, MAY 6, 2008

COUNTY OF HARTFORD)

Then and by virtue hereof, on the 6th day of May, 2008, pursuant to provisions of C.G.S. 33-929b and by the direction of the plaintiff's attorney, I made due and legal service upon the within named defendant, **AMERICAN FUTURE SYSTEMS, INC. d/b/a PROGRESSIVE BUSINESS PUBLICATIONS**, by depositing in the Post Office at Hartford, Connecticut, postage paid and certified, return receipt requested, a true and attested verified copy of the within original **Writ, Summons, Complaint, Prayer For Relief and Appendix A**, with my doings thereon endorsed, addressed to the within named defendant, **American Future Systems, Inc. d/b/a Progressive Business Publications**, c/o The Secretary, 370 Technology Drive, Malvern, PA 19355.

SUPPLEMENTAL RETURN TO FOLLOW

The within is the original **Writ, Summons, Complaint, Prayer For Relief and Appendix A**, with my doings hereon endorsed.

FEES:

Pages	\$ 10.00
Endorse	1.20
Service	30.00
Travel	3.03
Postage	5.38
Total	\$ 49.61

ATTEST:

Nancy F. Marino
NANCY F. MARINO
STATE MARSHAL
HARTFORD COUNTY

RETURN DATE: JUNE 17, 2008

STATE OF CONNECTICUT

SUPERIOR COURT
DISTRICT OF HARTFORD
at HARTFORD

VS

AMERICAN FUTURE SYSTEMS, INC.
d/b/a PROGRESSIVE BUSINESS PUBLICATIONS

SUPPLEMENTAL RETURN

Afterwards I received the return receipt hereto annexed. (American Future Systems, Inc. d/b/a Progressive Business Publications)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X PROGRESSIVE BUSINESS PUBLICATIONS	
1. Article Addressed to: The Secretary American Future Systems, Inc. d/b/a Progressive Business Publications 370 Technology Drive Malvern, PA 19355	B. Received by (Print name) 370 TECHNOLOGY DRIVE MALVERN, PA 19355	C. Date of Delivery 6/18/08
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7005 1820 0005 8670 6287		

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

ATTEST:

Nancy F. Marino
NANCY F. MARINO
STATE MARSHAL
HARTFORD COUNTY