

Randy Scott-All Claims Process, LLC

From: Bob Musser [BobM@dbsinfo.com]
Sent: Wednesday, November 21, 2012 1:30 PM
To: 'Randy Scott'; 'RANDY SCOTT CAPE CORAL FLORIDA PROCESS SERVER'; 'Ron Ezell'; 'Ruth Reynolds'; 'Steve Glenn'; jking@dlpipir.com; 'Lance Randall (lance@lri.com)'; 'Andy Estin'; 'Jillina Kwiatkowski'; 'Eric Vennes'; 'Larry Yellon'
Cc: 'Gary Crowe'
Subject: RE: UPDATE 2011 990 already filed ! Agenda Louisiana - financials inconsistent charges/expenses for the Fort Lauderdale meeting/trip February 2012

Randy, I'm curious about one concept. What benefit do you think you are providing the members by stirring this pot? Are you trying to trigger a tax audit? That will cost the members money. If you are simply trying to help us ride the straight and narrow, you would confine your comments strictly to the board, not on any Facebook or personal website. And you wouldn't need to be starting discussions or retrieving documents from the IRS. I have no idea how they work, but I can't imagine that your additional traffic with them could do NAPPS any good.

Thank you for pointing out what you believe to be an error. I would think that simply raising the point would be enough that our treasurer and administrator will make sure we see the form next year.

I think you're making a mountain out of a molehill. I'll tell you right now, that as an owner of multiple businesses, I've never reviewed any of my 990's. I pay my accountant to handle that kind "valuable government garbage", and trust her to let me know when I need to pay more attention. I also removed the tag from my mattress.

Bob Musser
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-----Original Message-----

From: Randy Scott [mailto:naples@naplesprocess.com]
Sent: Wednesday, November 21, 2012 12:43 PM
To: 'RANDY SCOTT CAPE CORAL FLORIDA PROCESS SERVER'; 'Ron Ezell'; 'Ruth Reynolds'; 'Steve Glenn'; jking@dlpipir.com; 'Lance Randall (lance@lri.com)'; 'Andy Estin'; 'Jillina Kwiatkowski'; 'Eric Vennes'; 'Bob Musser'; 'Larry Yellon'
Cc: 'Gary Crowe'
Subject: RE: UPDATE 2011 990 already filed ! Agenda Louisiana - financials inconsistent charges/expenses for the Fort Lauderdale meeting/trip February 2012

The IRS states they received the 990 2011 on May 15th, 2012. I understand this board was in place at the time of the preparation of the 990 and then the subsequent filing of it. I also know based on conversations with some, that ALL board members did not review it first and I speculate the majority of you did not.

I am hopeful that you are not now as a group discussing that check box on that form that has already been filed. The time to do that was before the

filing not after. Talking about it after the filing, after my emails detailing my concerns on the check box is problematic. What is the purposes of the discussion, after the fact, and how does that benefit the membership and the truth? The 2011 990 form was signed under penalty of perjury. Is that check box material? It certainly is because the IRS uses those truthful statements in an audit risk algorithm. A "No" increases the risk. For now we don't know if that box is a yes or a no. Soon we will find out. The preparer knows the importance of this and certainly shared this with the representative guiding it. I again send this to the entire board because the IRS believes the entire board is responsible and I do too. The pyramid of authority has the members on top and then the board then all others. If that confidentiality agreement is designed to keep you silent about publicly discussed events it may not be enough to keep you from the very important shared knowledge I am giving you. You have to know the IRS believes you are responsible too!

In the absence of being able to get the 990 from you I have requested it from the IRS directly see attached. Please govern yourselves accordingly and thoughtfully consider any discussions you may have on what to do about the status of that check box on that filed form.

The purpose is to share with you

Thank you,

Randy

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

From: RANDY SCOTT CAPE CORAL FLORIDA PROCESS SERVER

[mailto:RANDY@CAPECORALPROCESS.COM]

Sent: Friday, November 16, 2012 1:00 PM

To: 'Ron Ezell'; 'Ruth Reynolds'; 'Steve Glenn'; 'jking@dlpipir.com'; 'Lance Randall (lance@lri.com)'; 'Andy Estin'; 'Jillina Kwiatkowski'; 'Eric Vennes'; 'Bob Musser'; 'aps@aps-ga.net'; 'Larry Yellon'

Cc: 'fred@brservices.com'; 'jperez@interstatedeposition.com'; 'Gary Crowe'

Subject: UPDATE 2011 990 already filed ! Agenda Louisiana - financials inconsistent charges/expenses for the Fort Lauderdale meeting/trip February 2012

UPDATE THE 2011 990 APPEARS TO HAVE ALREADY BEEN FILED WITHOUT YOUR REVIEW:

Here is the docket where the treasurer informs us about the IRS990 for 2011 and its status http://www.napps.org/docket/_pdfs/M_A_2012treasurer.pdf This was done during your terms as fiduciaries on the board. Is the statement in Part VI section B 11a true. Did you review it before it was filed? Please keep me posted,

Thank you

Randy Scott

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/f13909.pdf>

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

Thank you

Randy Scott