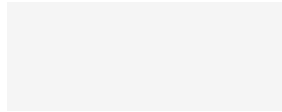


Marc Smith



Discussion at:

<http://Elsmar.com/Forums/showthread.php?t=8854>

I received this PM. I'm not a person to hide so - name removed - I ask for your comments.

[quote]Has the chris paris complaint died or are you still dealing with the aftermath?

you may have noted chris is playing by all the rules over in the "new" ASQ forum, acting "nice nice" and gushing with compliments for the new staff (thank god ASQ terminated Neil Eglash, who was such a jerk about the forums and even threatened in an email to bar me forever from the ASQ website.)

surprising what a chameleon chris can be.[/quote]

I do not believe it's a matter of Chris Paris being a 'chameleon'. Chris Paris is - simply put - an opinionated, selfish person. I want to say that I do not believe Chris Paris is a stupid person. Chris is in the ASQ forums prominently now because it's a matter of visibility. His advice and thoughts are typically good. Chris just got a hair up his :ca: when I started a thread here complaining about his SPAMMING the misc.industry.quality NG with his "40 Wonder Implementation" program a couple years ago. I felt, and feel, advertising a 40 day implementation program was (and is) seriously misleading. Recently, Chris and Jim Wade (aka Nosmo and several others) 'defamed' the Elsmar forums - and I over reacted to their childish responses. I should have kept my mouth shut.

I also want to admit herein I over responded to Chris. Chris Paris is sitting there with a failing business model (witness his complaint about falling registrations 'petitions' to the ISO folks). I don't see Chris as a 'snake'. He does offer realistic advice in many situations. He's just greedy and not happy that his business model is failing. I'm sure Chris does not appreciate my 'questioning' his claims.

To Chris Paris (Oxebridge) I have this to say: After having to deal with your complaint to the Ohio Atty General's Office, I suggest you Get A Life. You - Chris Paris - Oxebridge - have inflicted more 'harm' upon your own reputation - not to mention your business model - than I could ever have done on my own.

As far as Chris Paris participating in the ASQ forums, I welcome it. Let Chris share there what he won't here because of his pride and personality.

#####

Ms. Woodruff:

In response to complaint 256873



The complainant:

Christopher Paris
Oxebridge
1025 West Lake Hamilton Drive
Winter Haven, FL 33881
863-651-3750

Specifically with respect to the following in your e-mail to me:

"After reviewing the consumer's allegations in the complaint, we are most concerned with possible violations of O.R.C. 1345.02(A) and (B), which specifically prohibits a business from committing an unfair or deceptive act in connection with a consumer transaction.

Please note pursuant to O.R.C. 1345.09(A) and (B), the consumer is entitled to rescind the transaction or either recover minimum statutory damages of \$200 per violation or treble damages, whichever is greater, if these allegations are proven in a court of law. Additionally, the consumer may be entitled to recover attorney fees."

Initial comments and response: There was no consumer or other transaction and no transaction is required.

[QUOTE] 1345.01.01 are definitions; the meat follows:

§ 1345.02. Unfair or deceptive consumer sales practices prohibited.

(A) No supplier shall commit an unfair or deceptive act or practice in connection with a consumer transaction. Such an unfair or deceptive act or practice by a supplier violates this section whether it occurs before, during, or after the transaction.

(B) Without limiting the scope of division (A) of this section, the act or practice of a supplier in representing any of the following is deceptive:

(1) That the subject of a consumer transaction has sponsorship, approval, performance characteristics, accessories, uses, or benefits that it does not have;

(2) That the subject of a consumer transaction is of a particular standard, quality, grade, style, prescription, or model, if it is not;

(3) That the subject of a consumer transaction is new, or unused, if it is not;

(4) That the subject of a consumer transaction is available to the consumer for a reason that does not exist;

(5) That the subject of a consumer transaction has been supplied in accordance with a previous representation, if it has not, except that the act of a supplier in furnishing similar merchandise of equal or greater value as a good faith substitute does not violate this section;

(6) That the subject of a consumer transaction will be supplied in greater quantity than the supplier intends;

(7) That replacement or repair is needed, if it is not;

(8) That a specific price advantage exists, if it does not;

(9) That the supplier has a sponsorship, approval, or affiliation that the supplier does not have;

(10) That a consumer transaction involves or does not involve a warranty, a disclaimer of warranties or other rights, remedies, or obligations if the representation is false.

(C) In construing division (A) of this section, the court shall give due consideration and great weight to federal trade commission orders, trade regulation rules and guides, and the federal courts' interpretations of subsection 45(a)(1) of the "Federal Trade Commission Act," 38 Stat. 717 (1914), 15 U.S.C.A. 41, as amended.

(D) No supplier shall offer to a consumer or represent that a consumer will receive a rebate, discount, or other benefit as an inducement for entering into a consumer transaction in return for giving the supplier the names of prospective consumers, or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit is contingent upon an event occurring after the consumer enters into the transaction.

(E) (1) No supplier, in connection with a consumer transaction involving natural gas service or public telecommunications service to a consumer in this state, shall request or submit, or cause to be requested or submitted, a change in the consumer's provider of natural gas service or public telecommunications service, without first obtaining, or causing to be obtained, the verified consent of the consumer. For the purpose of this division and with respect to public telecommunications service only, the procedures necessary for verifying the consent of a consumer shall be those prescribed by rule by the public utilities commission for public telecommunications service under division (D) of section 4905.72 of the Revised Code. Also, for the purpose of this division, the act, omission, or failure of any officer, agent, or other individual, acting for or employed by another person, while acting within the scope of that authority or employment, is the act or failure of that other person.

(2) Consistent with the exclusion, under 47 C.F.R. 64.1100(a)(3), of commercial mobile radio service providers from the verification requirements adopted in 47 C.F.R. 64.1100, 64.1150, 64.1160, 64.1170, 64.1180, and 64.1190 by the federal communications commission, division (E)(1) of this section does not apply to a provider of commercial mobile radio service insofar as such provider is engaged in the provision of commercial mobile radio service. However, when that exclusion no longer is in effect, division (E)(1) of this section shall apply to such a provider.

(3) The attorney general may initiate criminal proceedings for a prosecution under division (C) of section 1345.99 of the Revised Code by presenting evidence of criminal violations to the prosecuting attorney of any county in which the offense may be prosecuted. If the prosecuting attorney does not prosecute the violations, or at the request of the prosecuting attorney, the attorney general may proceed in the prosecution with all the rights, privileges, and powers conferred by law on prosecuting attorneys, including the power to appear before grand juries and to interrogate witnesses before grand juries.

HISTORY: 134 v H 103 (Eff 7-14-72); 137 v H 681 (Eff 8-11-78); 148 v H 177.
Eff 5-17-2000.
[/QUOTE]

The Administrative Code doesn't seem to apply at all.

[QUOTE]Ohio Administrative Code 109:4-3-06 Prizes.

(A) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier to in any way notify any consumer or prospective consumer that he has

(1) Won a prize or will receive anything of value, or

(2) Been selected, or is eligible, to win a prize or receive anything of value, if the receipt of the prize or thing of value is conditioned upon the consumer's listening to or observing a sales promotional effort or entering into a consumer transaction, unless the supplier clearly and explicitly discloses, at the time of notification of the prize, that an attempt will be made to induce the consumer or prospective consumer to undertake a monetary obligation irrespective of whether that obligation constitutes a consumer transaction. The supplier must further disclose the market value of the prize or thing of value, that the prize or thing of value could not benefit the consumer or prospective consumer without the expenditure of the consumer's or prospective consumer's time or transportation expense, or that a salesman will be visiting the consumer's or prospective consumer's residence, if such is the case.

(B) A statement to the effect that the consumer or prospective consumer must observe or listen to a "demonstration" or promotional effort in connection with a consumer transaction does not satisfy the requirements of this rule, unless the consumer or prospective consumer is told that the purpose of the demonstration is to induce the consumer or prospective consumer to undertake a monetary obligation irrespective of whether that obligation constitutes a consumer transaction.

(C) The following example illustrates a violation of this rule as a result of a lack of disclosure relative to a promotional presentation which is not a consumer transaction:

A free vacation is offered in connection with the purchase of a set of encyclopedias. All disclosures required by this rule are made except that during the vacation the consumer is required to observe a sales presentation for real estate. An offer to sell real estate is not a consumer transaction, but it is an attempt to induce the consumer to undertake a monetary obligation, and such attempt was initiated in connection with a consumer transaction (the sale of encyclopedias).

(D) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier to in any way notify any consumer or prospective consumer that he has:

(1) Won a prize or will receive anything of value, or

(2) Been selected, or is eligible, to win a prize or receive anything of value, if the receipt of the prize or thing of value is conditioned upon the payment of a service charge, handling charge, mailing charge, or other similar charge.

HISTORY: (former COcp-3-01.06); Eff 6-5-73

Rule promulgated under: RC Chapter 119.

Rule authorized by: RC 1345.06[/QUOTE]

How is the complainant injured or damaged? If he personally suffers no injury or damage, what is his standing to complain?

To further address EACH accusation individually:

The complainant states:

The proprietor of the website www.Elsmar.com is running an illegal prize contest, the details of which can be seen here: <http://Elsmar.com/Forums/showthread.php?t=8476> In short, he will run a contest each month whereby guests to his site can submit articles; he then puts the articles up for "voting" and the winner gets \$150. The violations are that:

(a) the proprietor, Marc Smith, has "banned" many individuals from participation in his site, including the contest;

My Response: No one is banned from the site. There is, however, 1 individual, Mr. Jim Wade, an English citizen and friend of Chris Paris, who last year came to the site, established multiple identities and proceeded to cause problems by trying to start arguments and to play people against each other. This individual's accounts were discontinued - erased. The individual was told through direct e-mail, through an internet quality assurance related news group and another forum, that he is welcome to register again IF he 1) Uses his real name - Jim Wade, and 2) Jim Wade apologises for the problems he caused when he 'played his games'. The following is the e-mail exchange in its entirety:

#####

"On 9/9/03 7:12 AM, Jim Wade at jim...@bin.co.uk wrote:

Marc

At thread <http://www.Elsmar.com/Forums/showthread.php?t=6964>, someone asks about a rival to BRC.

Pleased to be of help.

Can I come back if I promise to be good?

rgds Jim

My Response:

It's less of a matter of being 'good'. It is the problem that you purposefully created multiple accounts and played people against each other. You were often rude and many people were quite offended.

After you were deleted, it also happened that a number of hacking attempts occurred which is when the FBI here got involved with British Telecom. Several accounts such as the htanaka account were identified as you by the FBI here.

After a day of discussions, we have decided to let you register and participate again. Of all people, energy was the one who made the difference. Whilst he did not defend you Şglowinglyā, he did make the difference.

However, you must do a few things.

1. You must register under the name Jim Wade.
2. After you re-register I expect you to start a new thread titled H apologise, in the Coffee Break forum, tell us all of your identities from the past. And I want an apology, therein, with a brief description of what you did, and why, for the problems you caused me and others.
3. You will not use the ŞBetter than thouā tone which your are famous for. Many comments which came up during the discussion were as follows:
H can't stand the guy. He is an arrogant, childish snob. I always found he took every opportunity (well, not every...but a lot) to be argumentative, especially when calling his card.
H believe he was somewhat arrogant (the pot calling the kettle black here),
H don't think I have to remind anyone about the major uproar we had here, and how much calmer the Forums have been lately. I simply do not want to see a repeat performance.
"Well, someone has to bring it up. They say the definition of insanity is doing the same thing over and over and expecting different results. The question I would ask is what's different. Why would Jim behave differently?,"
4. If you get into tag team mode with Martin Greenaway, you'll be gone again for good.

Marc T. Smith

#####

Jim Wade is not banned, but rather I set reasonable conditions for him to register and participate again based upon his previous behavior. Jim Wade has chosen not to register again probably because the last thing he wants to do is to openly acknowledge his actions and apologise.

Mr. Paris, in his complaint, states "...many individuals..." are banned. Mr. Paris himself registered in the forums recently and Mr. Paris knows no one is banned from the site. Mr. Paris is aware of the above e-mail exchange.

Mr. Paris is lying. Can Chris Paris be charged for knowingly giving false testimony to the Ohio Attorney General's office?

The complainant states: (b) the site does not address the age of contest entrants;

Response: There is no age restriction. The site is a 'standard' business process discussion site focused on Quality Assurance and Business Systems. If an 8 year old would like to register, she or he may and may participate in the monthly content award. However it is highly doubtful that anyone other than business professionals would have an interest in so much as visiting the Elsmar Cove web site - <http://Elsmar.com> . I would suggest that you visit the site, if you have not already done so, to see what the site is about.

If a child is advanced enough to read and understand the forums postings I would encourage it. When a child knows at a young age what they want to do in life, or is even asking him/herself that question, why would anyone want to keep that child from participating? From learning? Is Quality Assurance and Business Systems a 'bad' thing for children?

If I was charging a fee or posed some other requirement, we would be talking a different story. But in this case, if an 8 year old was to submit an article and the registered users voted that child's submission the best, I would be PROUD that on my site such a young person expressed quality assurance or business systems knowledge and interest - win or lose.

However, if someone makes me aware of a violation of law with respect to age I will amend the 'terms and conditions' of the article submission rules to comply.

The complainant states: (c) the site owner has indicated he will send the prize money to countries currently on the US list of international sponsors of terrorism;

Response: Mr. Paris should get a life. We're talking about US\$150. People from all over the world do visit the site, I fail to see this as a significant aspect. Mr. Paris is seeking, by any means possible, to initiate trouble. Potentially federal trouble. This is NOT rocket science. In some ways, the Elsmar forums has become a peer group forum unrelated to any military, political or other similar group. We discuss manufacturing issues mainly related to civilian products - from cars to lawn mowers to machine shops to metal stampers - and on and on. This is not trade. It is discussion and recognition to those of us who appreciate quality assurance and related interests. Not to mention - so far no submissions are from anyone residing in any country on the US list of international sponsors of terrorism. I really think this is a bit much.

The complainant states: (d) the current technology of the site allows administrators to alter poll results, by their own admission;

Response: This was explained AND discussed by members of the forums and the decision was made to make poll votes open. That is, while there are numbers attached to the results, each vote has a member name attached which cannot be changed without finding someone who knows the software and can manipulate the database. But - even if someone were to change a name and number to another person's article, the person who voted would know it because their name would not be next to the article they voted for.

Mr. Paris makes this out to be a big thing - as if this is a gigantic web site with millions of visitors a day. It is not. Roughly 3000 unique individuals visit the site every day. Not exactly a big draw. It is a

'niche' forum. In all the job interests in the world, quality assurance is not exactly the largest interest group.

If it were, we might be looking at something significant. In addition, there is no fee or other requirement other than to register using a valid e-mail address. Requiring a valid e-mail address to register is standard procedure at most forums. It is intended to keep those who want to make 'trouble posts' from doing so, or if someone does, as Jim Wade did, it allows traceability to an individual in addition to the IP. It was a combination of IP logged in the Apache server log and the IP he used to retrieve e-mail from his 'free' e-mail addresses which was used to 'dead ringer' Jim Wade by cross referencing the two.

The complainant states: (e) the rules of the contest are not spelled out properly;

Response: They were spelled out AND discussed in this thread:

<http://Elsmar.com/Forums/showthread.php?t=8476>

Last month that above thread was at the top of the May 2004 Submissions forum: <http://Elsmar.com/Forums/forumdisplay.php?f=80>

However, at month's end it was moved to the current forum of June 2004:

<http://Elsmar.com/Forums/forumdisplay.php?f=84>

The complainant states: (f) the site regularly engages in slander, libel, religious slurs, and other forms of internet harassment;

Mr. Paris has been upset with me for some time. It goes back to when Mr. Paris was spamming a news group with what many of us considered to be borderline fraud in promoting a "40 day ISO registration" (see <http://Elsmar.com/Forums/showthread.php?t=1815>). Mr. Paris considers criticism and discussion of what many of us in the profession to be misleading claims as 'slander' or 'libel'. It is my understanding that in the United States a person may state their opinion in private or in public without hindrance by way of accusations of slander, libel and the like. As to accusations of 'religious slurs', the closest you might find is jokes in the Coffee Break forum in very old threads. This potential problem aspect was recognized, along with other potential objectionable aspects, and addressed in a thread last fall (2003). In this forum: <http://Elsmar.com/Forums/forumdisplay.php?f=33> very near the top is a thread labeled 'Sticky: Pls. Read Rules and Guidelines for Coffee Break Forum Threads and Posts'. Its url is: <http://Elsmar.com/Forums/showthread.php?t=7171>

I might add that in part this thread wherein we set standards for forum content (which became the "Readers Digest Acid Test") came about because of Mr. Jim Wade including his posting a picture of naked girls/women in a thread. I'm not a prude and it didn't bother me particularly, but Jim Wade was the general catalyst for my starting that thread. There was a complaint and as a potential liability, not to mention the purpose and scope of the forums is quality assurance and business systems - not pornography or someone like Jim Wade using multiple e-mail addresses to establish multiple identities and then 'creating trouble' - and I took action. This is the same Jim Wade, an English citizen, who Chris Paris is referring to in a) above. If there was a reason to ban someone from the forums, Mr. Jim Wade's actions while using multiple identities in the forums and fermenting trouble, such

as getting arguments started between participants, this would be only 1 of many potential reasons.

There is more slander in Mr. Paris' accusations than there is in my forums. In the complaint you sent me, it appears the complaint is the online input of Mr. Paris and as such it is an obvious attempt to paint the forums, my site and myself through the use of words meant to inflame. I suggest Mr. Paris provide evidence of these claims - especially that of 'religious slurs'. That's so far out of the ball park that it is not funny. It has been made very clear that religious or political content will NOT be tolerated.

The complainant states: (g) the contest may be illegal in many states or countries outside of Ohio, but the site allows any person, from any country or state, to apply... so long as they have not been banned by the site owner. I am sure there are other aspects of local Ohio law the company is in violation of.

Response: Well Chris Paris does a good job of cobbling together some words here. What he appears to be asking for is that the Ohio Attorney General do his work in asking for a general investigation. That is, he appears to be asking the Ohio Attorney General to start a fishing expedition. I suggest that if Chris Paris wants to 'widen the investigation', that Chris Paris do so on his own time and if he finds cause for complaint he file his complaint WITH EVIDENCE.

And again, Chris Paris brings up the topic of people being banned. Again he is knowingly lying to the Ohio Attorney General's office in his complaint. No one is 'banned' from the forums. Not even Chris Paris' friend Jim Wade.

General Comments: Mr. Paris has been upset with me for some time. It goes back to when Mr. Paris was spamming a news group with what many of us considered to be borderline fraud in promoting his company's "40 day ISO registration program" (see <http://Elsmar.com/Forums/showthread.php?t=1815>). Mr. Paris considers any discussion or criticism of his 'methodology' as slander when one reads the posts in the thread as he charges here as "...the site regularly engages in slander, libel, religious slurs, and other forms of internet harassment;..."

This is really a personal vendetta by Chris Paris and to some degree Jim Wade. The 40 day wonder thread ended and all was in the past. Then about a month ago some remarks were made on another forum the ISO1Stop.com forums. I won't say they were slanderous - but then I'm not a person who believes lawsuits are the answer, particularly in revenge. But I did get mad and made some comments. That episode is somewhat addressed in <http://Elsmar.com/Forums/showthread.php?t=8347>

Basically what happened is someone - whom by the tone and such I believed to 'probably' be Jim Wade - came to my forum and, as I soon found out also posted to the ISO1Stop forum, and started a contentious thread. On the ISO1Stop forums Jim Wade and Chris Paris made - shall we say negative - remarks about my forums and their content. I take pride in the site I have had online since January 1996 (forums were added in June 1997 or there about - see http://Elsmar.com/old_forum.html). So, the needling started up again

So, what you have here is a disgruntled person whose business model is sinking and he's not at all happy about it.

ABOUT THE 'CONTEST' - Is it really a 'contest'? What it is and why it is

As I sat here one night I was looking at the ASQ's website www.asq.org as well as the Quality Digest site www.qualitydigest.com. We have a lot of discussions in the forums and we have some very intelligent and experienced people who visit. Many every day. There is a 'core group' of about 150 'regular' visitors. As I perused their web sites I was impressed by the articles. We don't have that - or didn't - in the forums. I liked the idea. In part I saw this as a good thing. My site is small. Last year I GROSSED less than US\$8000. It was mostly a good place to come, for the most part I enjoyed it, I'm relatively proud of it so I tried to do different things to make ends meet in paying to keep the site online plus have a few bucks for myself. In December 2003 on the 22nd I tried Google's AdWords program and started to see some decent income. To pay out US\$150 for some good articles wasn't a big thing. Basically, in wanting to emulate more 'official' sites I decided to look for articles. But I couldn't afford to say hey - I'll pay everyone who submits something. I'm not some big company. It's a one man show - me. And considering a gross of less than US\$8000 last year, it's relatively obvious I'm not making a killing off the web site and make absolutely no money off of reader submissions.

What I particularly thought amusing in Chris Paris' complaint was that he entered this information:

```
#####  
Purchase Information:  
Product or Service: n/a  
Purchase Date: 6/1/04  
Total Price: $0  
Disputed Amount: $0  
Amount Paid so Far: $0  
#####
```

Nothing was purchased yet Chris Paris puts in a purchase date.

This is not a product or service and Chris Paris has not bought or been promised anything, nor is there any requirement to buy or do anything other than to register in the forums which is necessary for identification of individuals and to prevent people from causing trouble in the forums.

Chris Paris can submit an article if he would so like. If Chris Paris is so aggrieved that he believes that he will submit an article and his article will be rejected by 'devious means', I would be happy to PAY Chris Paris US\$150 every month that he submits an article just to be able to say I do. That's how juvenile I think this whole complaint is. Just so we are all clear on this, however, there is the assumption that what Chris Paris submits is a serious attempt - as would be the case with any submission for publication to provide a useful, informative quality assurance and/or business systems related article. If Chris Paris submits nonsense, I surly will NOT pay him. Chris Paris should ALSO read the Rules and Guidelines thread - <http://Elsmar.com/Forums/showthread.php?t=8476> - because Chris Paris must understand that whatever he submits will be FREE OF COPYRIGHT TO EVERYONE. I make no money on submissions, and have no claim of any sort to them - they are PUBLIC DOMAIN. THEY MAY BE FREELY DISTRIBUTED WITH NO COPYRIGHT CLAIM. This is true for every submission, even if the submission is not voted as the best submission.

What does this mean? This means I don't make money off the articles submitted and neither does anyone else. To categorize this as a 'CONTEST', taken in context, is simply silly. This is not a "You MAY have won \$1,000,000!" scheme.

See: <http://Elsmar.com/Forums/showthread.php?t=8692>

Marc T. Smith

Cayman Business Systems
8466 Lesourdsville - West Chester Road
West Chester, OH 45069-1929 United States

US Teleco: 513 777-3394
E-Mail: <http://Elsmar.com/Forums/sendmessage.php>
Internet: <http://Elsmar.com>
Forums: <http://Elsmar.com/Forums/>

Neither the confidentiality nor the integrity
of this message can be guaranteed following transmission on
the Internet. Period. To believe otherwise is silly.

On 6/8/04 9:39 AM, Nancy M. Woodruff at NWoo...@ag.state.oh.us wrote:

30 E. Broad St. 14th floor Dept 066 Columbus, OH 43215-3400
Telephone: (800) 282-0515 Telephone: (614) 466-4986 Facsimile: (614)
728-7583 www.ag.state.oh.us

June 8, 2004

Elsmar Business Systems
8466 LeSourdsville-West Chester Rd.
West Chester, OH 45069-1929

Re: Christopher Paris
Complaint #: 256873

Dear Sir/Madam:

I have been assigned to mediate the enclosed consumer complaint that has been filed in our office against your company.

As you may be aware, two primary functions of the Attorney

General's Consumer Protection Section are to mediate resolutions to consumer complaints and to bring companies into compliance with the Ohio Consumer Sales Practices Act (C.S.P.A.), Ohio Revised Code (O.R.C.) 1345.01 et seq. and the Ohio Administrative Code (O.A.C.) 109:4-3-01 et seq.

After reviewing the consumer's allegations in the complaint, we are most concerned with possible violations of O.R.C. 1345.02(A) and (B), which specifically prohibits a business from committing an unfair or deceptive act in connection with a consumer transaction.

Please note pursuant to O.R.C. 1345.09(A) and (B), the consumer is entitled to rescind the transaction or either recover minimum statutory damages of \$200 per violation or treble damages, whichever is greater, if these allegations are proven in a court of law. Additionally, the consumer may be entitled to recover attorney fees.

Before we determine what action will be taken in this matter, we would like to give you the opportunity to present your side of the controversy and propose a compromise or possible manner of resolving the complaint.

I would appreciate it if you would provide me with your written reply within ten (10) days of receipt of this request so the complaint can be resolved without further action by the Consumer Protection Section.

Description:

The proprietor of the website www.Elsmar.com is running an illegal prize contest, the details of which can be seen here: <http://www.elsmar.com/Forums/showthread.php?t=8476> In short, he will run a contest each month whereby guests to his site can submit articles; he then puts the articles up for "voting" and the winner gets \$150. The violations are that: (a) the proprietor, Marc Smith, has "banned" many individuals from participation in his site, including the contest; (b) the site does not address the age of contest entrants; (c) the site owner has indicated he will send the prize money to countries currently on the US list of international sponsors of terrorism; (d) the current technology of the site allows administrators to alter poll results, by their own admission; (e) the rules of the contest are not spelled out properly; (f) the site regularly engages in slander, libel, religious slurs, and other forms of internet harassment; (g) the contest may be illegal in many states or countries outside of Ohio, but the site allows any person, from any country or state, to apply... so long as they have not been banned by the site owner. I am sure there are other aspects of local Ohio law the company is in violation of.

Satisfactory Solution:

The AG's office must notify Elsmar that its contest is illegal, and the contest must be shut down.

[Redacted]
[Redacted]

Marc Smith

Re: Chris Paris's Complaint

[Redacted]

On 7/1/04 1:40 AM in article BD091BF7.A4C6%Marc.Smith@SpamCop.net, Marc Smith at Marc.Smith@SpamCop.net wrote :

> Discussion at:

>

> <http://Elsmar.com/Forums/showthread.php?t=8854>

I have just been informed by Chris that the complaint against me was rescinded on 28 June 2004.

That said, the 'war' is over.

Marc T. Smith

Cayman Business Systems
8466 Lesourdsville - West Chester Road
West Chester, OH 45069-1929 United States

US Teleco: 513 777-3394

E-Mail: <http://Elsmar.com/Forums/sendmessage.php>

Internet: <http://Elsmar.com>

Forums: <http://Elsmar.com/Forums/>

Neither the confidentiality nor the integrity
of this message can be guaranteed following transmission on
the Internet. Period. To believe otherwise is silly.
