

OFFICE OF THE ATTORNEY GENERAL  
CHARITIES BUREAU

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In the Matter of the  
  
Investigation by ELIOT SPITZER,  
Attorney General of the State of  
New York, of  
  
THE URBAN LEAGUE OF NORTHEASTERN  
NEW YORK, INC.  
  
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**ASSURANCE OF  
DISCONTINUANCE  
PURSUANT TO  
EXECUTIVE LAW  
SECTION 63(15)**

WHEREAS, ELIOT SPITZER, Attorney General of the State of New York, pursuant to his authority under the New York Not-for-Profit Corporation Law, the New York Executive Law, and the New York Estates, Powers and Trust Law, has conducted an investigation into the operations of The Urban League of Northeastern New York, Inc. (the "League"); and

WHEREAS, the Attorney General has determined that:

1. Aaron R. Dare, the League's former Chief Executive Officer and President, violated New York Not-for-Profit Corporation Law ("N-PCL") § 717 by breaching his duties of care and loyalty as an officer of the League;

2. In breach of his fiduciary duty, Dare, among other things, (a) knowingly caused or directed the nonpayment of withholding taxes owed by the League to the State and federal governments, and instead caused such taxes to be applied to the League's expenses; and (b) intentionally misled the League's Board of Directors regarding the

true nature and extent of the League's finances, including the League's failure to remit payroll withholding taxes.

WHEREAS, Aaron R. Dare has consented to enter into this Assurance of Discontinuance (the "Assurance") without admitting any violation of law, and the Attorney General, without conceding any insufficiency as to any legal claims which could be asserted against Aaron R. Dare, has also agreed to enter into this Assurance pursuant to Executive Law § 63(15), in lieu of commencing legal proceedings against Aaron R. Dare;

NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between Eliot Spitzer, Attorney General of the State of New York, by Timothy B. Lennon, Assistant Attorney General, and Aaron R. Dare, as follows:

1. Aaron R. Dare shall not serve as an employee or volunteer having policy-making or fiscal authority, or as an officer or director of any charitable trust, not-for-profit corporation, or other charitable entity, domestic or foreign, conducting activities (as defined in N-PCL Article 13) in the State of New York, for a period of ten years from the execution of this Assurance; and

2. Pursuant to Executive Law § 63(12), violation of this Assurance shall constitute *prima facie* proof of a violation of the applicable law in any civil action or proceeding hereafter commenced by the Attorney General.

WHEREFORE, the following signatures are affixed hereto this \_\_\_\_  
day of July, 2001.

ELIOT SPITZER  
Attorney General of the  
State of New York  
The Capitol  
Albany, New York 12224

By: \_\_\_\_\_  
TIMOTHY B. LENNON  
Assistant Attorney General

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Aaron R. Dare  
15 Mountain View  
Albany, New York 12204