JON S. CORZINE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Fire Alarm, Burglar Alarm and Locksmith Advisory Committee
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November 3, 2008

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6-17-2009
Fire Alarm, Burglar, Alarm and Locksmith Advisory Committee

Via Certified and Regular Mail

Ingersoll Rand
824 Philadelphia Pike
Wilmington, DE 19809

RE: OFFER OF SETTLEMENT IN LIEU OF FORMAL DISCIPLINARY PROCEEDING

In the Matter of the Unlicensed Practice of: Ingersoll Rand; Atlantic City International Airport Project

Dear Sir/Madam:

The New Jersey Burglar Alarm, Fire Alarm and Locksmith Advisory Committee ("the Committee") has received a complaint that Ingersoll Rand is providing alarm services for the Atlantic City International Airport. The Committee has concluded their investigation regarding the alleged violations of the New Jersey alarm statutes and regulations by Ingersoll Rand. Upon review of all available information, the Committee has determined that Ingersoll Rand is performing alarm services without licensure and therefore probable cause exists to support a finding that Ingersoll Rand has engaged in the provision of alarm services, pursuant to N.J.S.A. 45:5A-25, which provides in pertinent part:

(a) No person shall advertise that he is authorized to engage in, or engage in the alarm business, or otherwise engage in the installation, service or maintenance of burglar alarm, fire alarm or electronic security systems unless he satisfies the requirements of this act.

The Committee has determined that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against Ingersoll Rand, pursuant to N.J.S.A. 45:1-23. The Committee is authorized, pursuant to N.J.S.A. 45:1-25, to seek a penalty of $10,000 for the first violation and not more than $20,000 for the second and each subsequent violation. Notwithstanding that determination, however, the Committee is offering Ingersoll Rand an opportunity to settle this matter. In the event that Ingersoll Rand rejects this settlement offer, or fails to respond, the Committee has instructed the Attorney General's Office to initiate formal proceedings. Therefore, the initiation of formal proceedings will be avoided should Ingersoll Rand consent to the following:

1. Ingersoll Rand shall sign an agreement to immediately cease and desist from advertising that they are authorized to engage in the alarm business, nor shall Ingersoll Rand engage in the installation, service or maintenance of burglar alarm, fire alarm or electronic security systems until duly authorized by the New Jersey Burglar Alarm, Fire Alarm and Locksmith Advisory Committee of the State of New Jersey to do so.

2. Ingersoll Rand, shall pay a penalty in the amount of $2,500, delivered to the New Jersey Burglar Alarm, Fire Alarm and Locksmith Advisory Committee simultaneous with receipt by the Committee of a fully executed copy of this Settlement Offer.

If Ingersoll Rand is willing to settle this matter on the offered settlement terms, an authorized person, with the power to legally bind and obligate Ingersoll Rand, should sign this acknowledgment and return it to the Committee office for filing. This letter will then become a matter of public record and constitute the Final Order of the Committee in this matter. This Settlement Offer will remain open for (15) days from the date of this letter. In the event that no response is received on or before November 18, 2008, it will be assumed that Ingersoll Rand has rejected the Committee's settlement proposal, at which time the settlement offer set forth herein will be withdrawn. The matter will then be considered for the initiation of formal proceedings.

Once again, in the event Ingersoll Rand rejects this offer of settlement, and formal charges are filed, the Committee can seek civil penalties of $10,000 for the first violation, and up to $20,000 for every violation thereafter. Additionally, the Committee may seek an order requiring Ingersoll Rand to reimburse certain monies and/or requiring Ingersoll Rand to pay additional costs and/or legal fees incurred by the Committee.

Should you have any questions concerning this letter or the settlement offer, please do not hesitate to contact the Committee Office at (973) 504-6245.

Very truly yours,

George De Luca

for Barbara A. Cook
Executive Director

c: Joseph A Donofrio, Deputy Attorney General

ACKNOWLEDGMENT AND AGREEMENT TO CEASE AND DESIST

I, Heather Foran, hereby acknowledge on behalf of Ingersoll Rand, that I have read and reviewed the settlement proposal set forth in the above letter. Ingersoll Rand admits to having advertised and engaged in the installation, service or maintenance of alarm services or electronic security systems while unlicensed to do so. Ingersoll Rand agrees to cease and desist from advertising and engaging in the installation, service or maintenance of alarm services or electronic security systems until such time that Intgersoll Rand becomes licensed to advertise and engage in the installation, service or maintenance of alarm services and electronic security services in New Jersey

Ingersoll Rand also agrees to pay a penalty of $2,500, simultaneous with the Committee's receipt of a fully executed copy of this Settlement Offer. Ingersoll Rand is aware that if they violate this agreement, the Committee may institute legal proceedings against them to obtain an injunction and to seek monetary penalties to be calculated as second offenses pursuant to law.

Ingersoll Rand is aware that by signing this acknowledgment, they are waiving any rights they may have to defend against these charges of wrongdoing. Ingersoll Rand is also aware that the action taken by the Committee herein is a matter of public record, and that this letter is a public document.

Authorized signature on behalf of
Ingersoll Rand

Print Name Here: Heather Foran

6/16/09
Date

ELECTRICAL CONTRACTORS
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