

PRESS RELEASE

Colorado Department of Law
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**ATTORNEY GENERAL ANNOUNCES CONSUMER PROTECTION LAWSUIT
AGAINST EVERGREEN DUO AND MAGAZINE SUBSCRIPTION BUSINESSES**

DENVER — Colorado Attorney General John Suthers announced today that his office has filed a lawsuit against Jennifer Proffitt-Payne (DOB: 12/21/1961), Cody Payne (DOB: 11/28/1963) and a series of Jefferson County-based magazine businesses. The lawsuit follows allegations that Proffitt-Payne, of Evergreen, and her businesses, including Great Lakes Circulation and D2D Consulting, engaged in deceptive trade practices.

According to the complaint, filed in Denver District Court, the companies run by Proffitt-Payne and Payne marketed magazine subscriptions using door-to-door salesmen and engaged in high-pressure sales tactics, including saying that purchases would benefit the military overseas, charities or local schools, to defraud consumers. Proffitt-Payne and Payne's businesses are suspected of using youth to walk door-to-door to make their magazine sales. As part of their pitches, the salesmen would tell consumers their purchases entered them in a contest for a trip or scholarship, but awards were rarely, if ever, given.

According to the complaint, Proffitt-Payne and Payne's businesses routinely failed to honor consumers' requests to cancel their magazine subscriptions, including telling consumers who asked for refunds that the business that sold them their subscriptions was no longer in business. In some cases, Proffitt-Payne and Payne's businesses failed to give consumers the magazines they had purchased.

The conduct of Proffitt-Payne and Payne's businesses resulted in hundreds of consumer complaints to the Office of the Attorney General, the Better Business Bureau and the Federal Trade Commission.

This is the second consumer protection action the Office of the Attorney General has taken against a group of magazine-sales companies over the past year. The Office of the Attorney General [filed a consumer protection lawsuit in October 2011](#) against a series of Denver, Lakewood, Littleton and Wheatridge-based magazine-sales telemarketing companies and their principals on suspicion that they deceived and defrauded consumers in Colorado and nationwide. That case is ongoing.

Consumers who believe they have been defrauded by a business can file a complaint with the Office of the Attorney General via www.coloradoattorneygeneral.gov/complaint or 1-800-222-4444. Consumers also can learn more about their rights when dealing with [magazine pitches](#) and other common consumer issues by visiting the Office of the Attorney General's online [Consumer Resource Guide](#).