

CONSUMER DISPUTE FORM

Public Protection Division Consumer Protection Section

Jeff Landry
Attorney General
Louisiana Department of Justice
Consumer Protection Section
P.O. Box 94005
Baton Rouge, LA 70804-9005
Phone: (800) 351-4889
Fax: (225) 326-6499

CASE ID:
FOR OFFICE USE ONLY

* = REQUIRED

Please print or type. Your form must be legible.

Do not include personal or sensitive information such as health or medical history, date of birth, or driver license, social security, financial account or credit/debit card numbers on this form.

Is this related to a storm?

Yes No

Are you over the age of 65?

Have you or do you serve in the armed forces?

7/19/2023

Dawn Manning

*Date

*Full Name of Person Filing Form

*Address: _____

*Home Phone: _____

*City: _____

*Work Phone: _____

*State & Zip: _____

*Parish: _____

*Person in Dispute: N/A

*Company in Dispute: Fidelity Charitable Gift Fund

*Address: PO Box 770001

*Phone: 1-800-952-4438

*City, State & Zip: Cincinnati, OH 45277-0053

Parish/County: _____

Name of Salesperson (if known): N/A

Date of Transaction: 5/8, 5/9, 5/15, 5/15

Description of product or service about which you are disputing. Include brand name, model number and serial number, if possible:

Donor Advised Fund grant requests

Name of manufacturer (if known): N/A

Representative of manufacturer contacted (if any). Please include the address and phone number.

PLEASE READ THE FOLLOWING CAREFULLY. By submitting this form, you are signifying that you have read, and that you understand and agree to the following statements and conditions:

I believe that the company I named in this dispute has committed unfair and deceptive business practices.

Depending on the nature of my dispute, the Attorney General's Office **may forward a copy** of this form in its entirety, including any documents I provide **to the company complained about** and ask for a response or may refer the dispute to another agency.

The Attorney General's Office may keep a record of this form and any documents I provide and may provide copies of them to other private and public agencies. I authorize the Attorney General's Office to give copies of the form and any documents I provide and any information in them to anyone deemed necessary by the Attorney General's Office.

If I have a complaint about criminal conduct, such as fraud, the Attorney General's Office recommends that I contact local law enforcement agencies, which have jurisdiction over criminal activity.

The information that I provide may be used to help the Attorney General's Office detect patterns of unfair and deceptive trade practices, which may lead to investigations on behalf of the public to eliminate such practices. However, the Attorney General's Office cannot act as my lawyer, a court of law, or legal advisor. The Attorney General's Office is not my personal legal representative and does not conduct litigation on behalf of individuals in matters involving private controversies. The Attorney General's Office recommends that I consult a private attorney. I may lose my right to sue about this matter entirely if I wait too long to do so. Any action by the Attorney General's Office may not result in a refund or other relief for me personally. I am, however, filing this dispute to notify the Attorney General's Office of the activities of the named party and to seek any assistance the Attorney General's Office may be able to render.

The information given is true to the best of my knowledge and belief.

I understand and agree to all above statements and conditions.

Signature: Dawn Manning

Date: 7/19/2023

July 19, 2023

To whom it may concern:

I opened a Donor Advised Fund (DAF) account with Fidelity Charitable (FC) earlier this year. One of the main reasons I chose FC was because I was told that I could donate to 501(c)(3) charities of my choice and that FC would remain cause-neutral in approving my grant requests. It was also my understanding that I could make grants anonymously. It's important to me that I be allowed to make anonymous grants to charities of my choice because I want to stay off mailing lists. I'm also concerned about who else may want to know to whom I donate.

However, in May 2023 FC refused to approve my anonymous grant requests to Alliance Defending Freedom, Family Research Council, Center for Security Policy, and Pacific Justice Institute. I made these grant requests on May 9, May 8, May 15, and May 15, respectively. For over a month, these four grant requests showed a status of "Awaiting Information." I received emails from FC regarding each of these requests stating that FC's "policies require reviewing all grant recommendations to ensure that grants are used exclusively for proper charitable purposes. In order for us to proceed with the recommendations **additional information is needed.**" FC asked that I call them about the grant requests.

On May 23, I called FC and asked why these grants were not being approved. I was told that Fidelity Charitable's Board of Trustees is not approving anonymous grants to these organizations at this time. I mentioned to the representative that I had been told prior to establishing my DAF that FC is cause-neutral. The representative reiterated that the Board of Trustees is not approving anonymous grants to these organizations at this time, but could not provide any additional information. He asked if I would like for the grant requests to be changed to include my name and address. I declined.

If FC's concern is truly over whether or not these organizations are using grants "exclusively for proper charitable purposes," I don't understand why simply agreeing to provide my name and address would make a difference in their decision to approve the grants. Also, the policy of refusing to approve grants to these organizations is confusing to me because these four organizations are all well-respected charities. Alliance Defending Freedom, Family Research Council, Center for Security Policy, and Pacific Justice Institute have scores of 87%, 81%, 88%, and 96% on Charity Navigator, a tool FC itself recommends to donors to evaluate charities.

After my phone conversation with the FC representative, I submitted anonymous grant requests on May 25 to CAIR Foundation, Human Rights Campaign, and

Lambda Legal Defense Fund. These are like the above groups, but are politically left leaning. FC quickly approved these requests on the same day they were submitted.

I was and still am concerned that FC may be screening Alliance Defending Freedom, Family Research Council, Center for Security Policy, and Pacific Justice Institute because of their political or religious views, in violation of my understanding of FC's policies. These groups are considered hate groups by the Southern Poverty Law Center (SPLC). The first three are also named targets of Unmasking Fidelity, an activist campaign pressuring FC to stop allowing donations to these so-called "hate groups."¹ It appears that Fidelity may be screening donations based on whether groups like the SPLC and Unmasking Fidelity are targeting them.

This is troubling because the SPLC is a far-left activist organization that targets mainstream conservative and religious groups. Even Politico acknowledges that the SPLC is "using the reputation it gained decades ago fighting the Klan as a tool to bludgeon mainstream politically conservative opponents."² Unmasking Fidelity is no better and has been criticized for bringing cancel culture to philanthropy.³ Our country needs more tolerance for diverse viewpoints, not more divisive rhetoric and blacklisting.

When I first opened my DAF account, FC representatives assured me that FC would direct donations from the DAF to virtually any 501(c)(3) charity I recommended and that FC would remain cause-neutral in approving grant requests. FC's website reiterates that it is "cause-neutral"⁴ and that it "does not limit grantmaking based on political, religious, or philosophical grounds."⁵ My Program Guidelines also say that I can generally make donations anonymously.

On June 27, I sent a letter to FC that expressed the above concerns. On July 5, FC notified me by email that my anonymous grant requests had been approved, but did not give me any clarity as to why they were screened in the first place, what the Board of Trustees' policy was, and whether that policy had been changed. So I have no assurance that I will be able to continue making these anonymous grant requests in the future.

¹ http://unmaskingfidelity.org/wp-content/uploads/2021/12/9.30.21-Unmasking-Fidelity-DISCLOSE-Letter-w_-Org-Sign-Ons.pdf.

² <https://www.politico.com/magazine/story/2017/06/28/morris-dees-splc-trump-southern-poverty-law-center-215312>.

³ <https://capitalresearch.org/article/the-hypocrisy-of-unmasking-fidelitys-leftists>.

⁴ <https://www.fidelitycharitable.org/giving-account/supported-charities.html>.

⁵ <https://www.fidelitycharitable.org/legal/granting-due-diligence.html>.

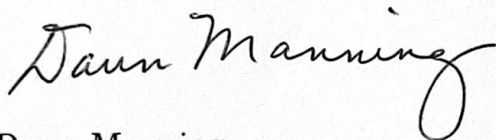
Actually, three of the four anonymous grant requests still have not been approved. On July 5 there were insufficient funds in my DAF to cover all the requests. The grant to Family Research Council was the only one approved. I immediately transferred additional funds into the DAF, but the remaining three grant requests have not been approved and currently still have a status of "Awaiting Information."

I am concerned that FC is not honoring its promise to be cause-neutral and that it may be violating consumer protection law by doing so. Louisiana Statute § 51:1405 prohibits "unfair or deceptive acts or practices in the conduct of any trade or commerce." Louisiana Admin. Code Pt. III, § 515(B)(2) further specifies, "it shall be an unfair and deceptive act or practice for any person or charitable organization utilizing a professional solicitor or solicitors to . . . misrepresent to prospective contributors or to the general public the purpose of the organization and *the purpose for which funds are solicited or are to be solicited.*"

I hope that you will be able to help in this matter. Please find attached my letter to Fidelity Charitable. Please let me know if you need further information.

I look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script that reads "Dawn Manning". The signature is written in black ink and is positioned to the left of the typed name.

Dawn Manning