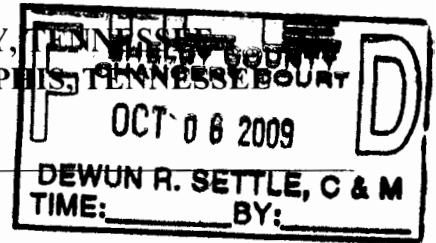


IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS, TENNESSEE



STATE OF TENNESSEE, *ex rel.* )  
ROBERT E. COOPER, JR., )  
ATTORNEY GENERAL AND )  
REPORTER, )

Plaintiff, )

v. )

LINDA McCLUSKEY, individually and )  
d/b/a BRITTON JAMES & )  
ASSOCIATES, THE FRANKLIN )  
GROUP OF AMERICA, HAMILTON )  
CLARK INTERNATIONAL, )  
AND THE RENAISSANCE GROUP )  
INTERNATIONAL, )

Defendant. )

Docket No. 0409-2044-1

**LIST OF EXHIBITS TO STATE OF TENNESSEE'S COMPLAINT**

1. Front Page – Britton James & Associates at <http://brittonjamesassociates.vpweb.com>.
2. Career Builder.com advertisement for Britton James & Associates – captured on September 28, 2009.
3. Career Builder.com advertisement for The Franklin Group of America – submitted by consumer on or around May 22, 2009.
4. Franklin Group of America “Career Service Agreement and Guarantee of Services” entered into on November 12, 2008.
5. The Renaissance Group International “Career Service Agreement and Guarantee of Services” entered into September 29, 2005.
6. Response to Better Business Bureau Inquiry from Linda McCluskey – dated July 16, 2008.

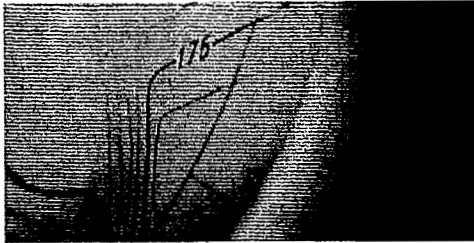
7. Career Builder.com advertisement for The Renaissance Group, International – captured on March 18, 2006.
8. The Memphis Daily News, *Business Markets People to Employers*, dated January 26, 2009.
9. Statement of Gnaneshwar Sriramdoss to the Better Business Bureau – dated April 16, 2007.
10. Inquiry Log for “Britton James & Associates” from the Better Business Bureau – dated September 28, 2009.
11. Letter from Linda McCluskey Outlining Contingency Fee Arrangement – dated March 5, 2008.
12. “Testimonials” Section from <http://brittonjamesassociates.vpweb.com> – captured on or around September 2, 2009.

# **EXHIBIT 1**

This is Google's cache of <http://brittonjamesassociates.vpweb.com/>. It is a snapshot of the page as it appeared on Sep 16, 2009 18:46:20 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

These terms only appear in links pointing to this page: [britton james associates](#)

[Text-only version](#)



## BRITTON JAMES & ASSOCIATES

Developing People, Developing Opportunities

*What Do You Want To Do?*  
*Where Do You Want To Do It?*  
*How Are You Going To Get There?*

*It's All about focus.*

The first step to a successful career search is having a clear vision. We believe that your career is serious business and that anything worth doing is always worth doing well - especially a career search. If you know what you are doing, career advancement is just as easy to obtain as "any other job".

- When circumstances force a change, people will enter the job market using all the traditional methods.
- In all probability, they will *answer ads, shotgun resumes to potential employers, and talk to employment agencies*.
- It is estimated that they will directly compete with **90% of all job seekers for fewer than 10% of the available jobs**.
- No matter how random or inefficient their job-hunting methods are, capable men and women eventually get offers.
- But when they do change jobs, often after a long and difficult search, people frequently find the new job fails to meet their expectations.
- They change jobs, but do not advance their careers.

*For most people, their career is one of their most important assets. Isn't it time for professional management of that asset?*

• **Home**

Individualized Services

Outplacement

Testimonials

Resources

Contact Us

You are welcome to go to our "[Contact Us](#)" page to find out how our free career assessment might benefit you.



**EXHIBIT 2**

**careerbuilder.com™**

Executive, Professional, Marketing,  
Management and Sales  
Britton James & Associates

**GET A NEW JOB FAST!**

Post Your Resume to 80 Top Career Sites Instantly  
Be seen by 1.5 million hiring managers. Takes 5 minutes!

<http://careerbuilder-resume.rabbit.com>

advertisement

**Job Snapshot**

Location:	5100 Poplar Ave. 27Th Floor Memphis, TN 38137
Base Pay:	\$50,000 - \$500,000 /Year
Employee Type:	Full-Time
Industry:	Accounting - Finance Mortgage Military
Manages Others:	No
Job Type:	Business Development General Business Human Resources
Education:	2 Year Degree
Experience:	At least 5 year(s)
Post Date:	9/16/2009

**Contact Information**

Contact:	Lorry Ronza
Phone:	+ (901) 332-6104
Fax:	901-322-6105

**Description**

About the Job Ranging from \$50,000 to \$300,000 PLEASE ONLY RESPOND TO THIS POSTING IF YOU RESIDE IN MEMPHIS OR THE SURROUNDING AREA. Our firm is EXCLUSIVELY geared to assisting EXECUTIVES, MANAGERS AND PROFESSIONALS tired of living with job unsatisfaction and seeking a serious progression. The <http://www.brittonjamesassociates.com/> develops relationships with employers, venture capital firms and others, which allows our firm to assist senior executives and managers to identify the most appropriate career positions. We steward our clients careers, maximizing their earning potential and job satisfaction as well. We also provide unique technology tools and other resources to assist our clients to get better interviews and entree to the hiring decision-makers. It has become increasingly apparent that changing jobs and building a successful

advertisement

**Get your resume in the right hands, right now.**

**One-Stop Resume Posting to 89 top job sites!**

One simple form • Be seen by 1.5 million hiring Managers • Takes 5 minutes!

Check it out at:

<http://cb1.resumerabbit.com>

Print Powered By  FormatDynamics™

**careerbuilder.com™**


Sign up to receive FREE Samples of Name Brand Products


**FreeSampleValues.com**

advertisement


career depends largely on proactive, strategic planning and careful preparation. What worked a decade or just a few years ago does not work today. The job market is continuously changing and finding a rewarding and lucrative career has become more sophisticated. We have the resources to work with those who are dedicated to a new career path. We understand today's job market and have devised new strategies, and employed new tools to help the jobseeker obtain the career of their choice. Our staff consists of highly competent professionals, who are well-regarded experts in their field. They offer clients, a wide range of industry and functional expertise to enable them to access the job market as no other candidate is able to do. Please forward your resume only if you are serious about furthering your career. You will be contacted only if we can be assistance to you. \*Senior executives and former entrepreneurs at director, VP level or C-level with direct P and L or staff responsibility, or who have managed multi-plant or multi-service operations and who are looking for growth opportunities and commensurate financial rewards at \$150,000 to \$500,000. \*Mid-level staff with experience in legal, banking, franchising, communications, consumer goods, electronics, operations and retail..including service and manufacturing at \$60,000 to \$150,000 \*Sales and marketing professionals with proven records who have helped increase market share and exceeded forecasts in the tangible products or service market segments at \$75,000 to \$225,000. \*Financial and accounting managers, analysts and directors, including CPAs of local firms, controllers, and CFOs of diversified operations seeking to increase responsibility and at \$60,000 to \$160,000. \*Educators, MBAs, MAs and PhDs in all fields seeking growth and earnings in the private sector and who can demonstrate have unique skills...and seeking \$75,000 to \$185,000. \*Mid-level and senior level high tech professionals, admin staff, early retirees, IT/IS, purchasing, project managers and directors, distribution and officers leaving the military. \*Britton James and Associates is a leading service for those who wish to be considered at large and small employers, growth firms, and Fortune 1000 companies. Specialties include: Accounting/Administration Advertising/Public Relations Aerospace/Defense Arts Entertainment Banking/Biomed/Biotech Finance/Financial Services General Mgmt./Top Mgmt. HR/Recruiting/Outplacement Insurance/All Legal IT/IS/Internet Management Consulting Manufacturing-All Operations Nonprofit Operations Retail/Real Estate Sales/Marketing Sales@Home Transportation Logistics


advertisement

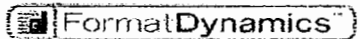
**total gym**  Only have 20 minutes a day to get into shape?

**Try Total Gym!** **30 Day Trial Only \$49<sup>95</sup>** 

Call now for this special offer: **1.866.734.7282**



*Endorsed by Chuck Norris & Christie Brinkley* 

Print Powered By 

careerbuilder.com™

**GET A NEW JOB FAST!**

Post Your Resume to 80 Top Career Sites Instantly


Be seen by 1.5 million hiring managers. Takes 5 minutes!

<http://careerbuilder.resumorabbit.com>

advertisement

**Requirements** Requirements Please only respond if you are in the Mid-South area. Please send your resume **ONLY IF YOU ARE IN THE MID-SOUTH AREA.** You can fax your resume to **901-322-6105**. or email it to <http://www.brittonjamesassociates.com/> . **ONLY SERIOUS INQUIRIES PLEASE!!!**

advertisement



Send flowers for any occasion  
**Bouquets \$19.99**  
from **19.99** +s/h  
ProFlowers

Order ONLY at  
[proflowers.com/happy](http://proflowers.com/happy)  
or call 1-877-888-0688

Print Powered By  FormatDynamics

# **EXHIBIT 3**

## The Franklin Group

Location:  
5100 Poplar Ave  
Suite 2121  
Memphis, TN 38117  
Contact Information  
Eric Phone:  
901-591-1541

A

Ad from Career Builder

### Description

Ranging from \$50,000 to \$300,000 PLEASE ONLY RESPOND TO THIS POSTING IF YOU RESIDE IN MEMPHIS OR THE SURROUNDING AREA. Our firm is EXCLUSIVELY geared to assisting EXECUTIVES, MANAGERS AND PROFESSIONALS tired of living with job dissatisfaction and seeking a serious progression. The <http://www.thefranklingroupofamerica.com/> develops relationships with employers, venture capital firms and others, which allows our firm to assist senior executives and managers to identify the most appropriate career positions. We steward our clients careers, maximizing their earning potential and job satisfaction as well. We also provide unique technology tools and other resources to assist our clients to get better interviews and entree to the hiring decision-makers. It has become increasingly apparent that changing jobs and building a successful career depends largely on proactive, strategic planning and careful preparation. What worked a decade or just a few years ago does not work today. The job market is continuously changing and finding a rewarding and lucrative career has become more sophisticated. We have the resources to work with those who are dedicated to a new career path. We understand today's job market and have devised new strategies, and employed new tools to help the jobseeker obtain the career of their choice. Our staff consists of highly competent professionals, who are well-regarded experts in their field. They offer clients, a wide range of industry and functional expertise to enable them to access the job market as no other candidate is able to do. Please forward your resume only if you are serious about furthering your career. You will be contacted only if we can be assistance to you.

**\*Senior executives and former entrepreneurs at director, VP level or C-level with direct P and L or staff responsibility, or who have managed multi-plant or multi-service operations and who are looking for growth opportunities and commensurate financial rewards at \$150,000 to \$500,000.**

**\*Mid-level staff with experience in legal, banking, franchising, communications, consumer goods, electronics, operations and retail, including service and manufacturing at \$60,000 to \$150,000**

**\*Sales and marketing professionals with proven records who have helped increase market share and exceeded forecasts in the tangible products or service market segments at \$75,000 to \$225,000.**

**EXHIBIT 4**

# Franklin Group of America

## CAREER SERVICE AGREEMENT AND GUARANTEE OF SERVICES

B 1

CK # 8990

<p><b><u>Option One: 18 Months</u></b></p> <p>Initial Investment: \$6,980.00 Discount: \$1000.00 <b><u>Total Investment: \$5,980.00</u></b></p>	<p><b><u>Option Two: 9 Months</u></b></p> <p>Initial Investment: \$4,980.00 Discount: \$1,000.00 <b><u>Total Investment: \$3,980.00</u></b></p>
---	---

<u>Evaluation Phase</u>	<u>Marketing Phase</u>	<u>Career Search Phase</u>	<u>Career Development Phase</u>
<ul style="list-style-type: none"> <li>• Determination of Career Focus/Direction</li> <li>• Qualifications Appraisal</li> <li>• Develop Immediate Career Goals</li> <li>• Develop Long-Range Career Goals</li> </ul>	<ul style="list-style-type: none"> <li>• Resume and Portfolio Development</li> <li>• Interviewing Strategy and Preparation</li> <li>• Negotiating Strategies</li> <li>• Identify Markets and Industries</li> </ul>	<ul style="list-style-type: none"> <li>• Process to Establish Contacts</li> <li>• Induce Job Offers</li> <li>• Job Offer Evaluation</li> <li>• Salary &amp; Benefits Negotiations</li> <li>• Access to Proprietary Databases</li> </ul>	<ul style="list-style-type: none"> <li>• On-the-Job Advancement Consulting</li> <li>• Accomplishment Tracking</li> <li>• Performance Review Preparation</li> <li>• Change Management Consulting</li> </ul>

This payment is for one "whole" consulting project as described in this Career Service Agreement and is not refundable or prorated by hours. Individual portions of the program are not available.

We reserve the right, at our discretion, to suspend or revoke this agreement if financial obligations (i.e., NSF checks) are not met by the client.

We determined your market value in Memphis to be \$95,000. You should receive a \$5,000.00 sign-on bonus unless you accept a position with the government or a non-profit organization.

To help insure your career success, Franklin Group of America makes the following guarantee of services.

1. We will consult with you individually until you accept a position of your choice ("Career Position"), a promotion, or start your own business.
2. We will continue to work with you for 18 months or 6 months from the date of this agreement
3. You will have access to our staff, proprietary methods, knowledge and resources.

**Career Search Fees may be Tax Deductible.** Keep records of all additional job hunting out-of-pocket expenses for tax purposes (travel, lodging, publications, etc.). Discuss deductibility of job hunting with your tax preparer.

<p><b>Client Name:</b> _____</p> <p><b>Address:</b> _____</p> <p><b>Telephone:</b> _____</p> <p><b>Date:</b> 11-12-08</p> <p><b>Client Signature:</b> _____</p>	<p><b>Acknowledged By:</b> _____</p> <p><b>Amount Paid:</b> _____</p> <p><b>Method of Payment:</b> _____</p> <p><b>Check Number:</b> _____</p> <p><b>Credit Card Number:</b> _____</p> <p><b>Expiration Date:</b> _____ <b>Auth #:</b> _____</p>
---	--

# **EXHIBIT 5**

## Renaissance Group International, Inc. CAREER SERVICE AGREEMENT AND GUARANTEE OF SERVICES

<u>Option One: Three Year</u>	<u>Option Two: One Year</u>
<b>Initial Investment: \$4,950.00</b> <b>Discount: \$700.00</b> <b>Total Investment: \$4,250.00</b>	<b>Initial Investment: \$3,950.00</b> <b>Discount: \$700.00</b> <b>Total Investment: \$3,250.00</b>

<u>Evaluation Phase</u>	<u>Marketing Phase</u>	<u>Career Search Phase</u>	<u>Career Development Phase</u>
<ul style="list-style-type: none"> <li>• Determination of Career Focus/Direction</li> <li>• Qualifications Appraisal</li> <li>• Develop Immediate Career Goals</li> <li>• Develop Long-Range Career Goals</li> </ul>	<ul style="list-style-type: none"> <li>• Resume and Portfolio Development</li> <li>• Interviewing Strategy and Preparation</li> <li>• Negotiating Strategies</li> <li>• Identify Markets and Industries</li> </ul>	<ul style="list-style-type: none"> <li>• Process to Establish Contacts</li> <li>• Induce Job Offers</li> <li>• Job Offer Evaluation</li> <li>• Salary &amp; Benefits Negotiations</li> <li>• Access to Proprietary Databases</li> </ul>	<ul style="list-style-type: none"> <li>• On-the-Job Advancement Consulting</li> <li>• Accomplishment Tracking</li> <li>• Performance Review Preparation</li> <li>• Change Management Consulting</li> </ul>

This payment is for one "whole" consulting project as described in this Career Service Agreement and is not refundable or prorated by hours. Individual portions of the program are not available.

We reserve the right, at our discretion, to suspend or revoke this agreement if financial obligations (i.e., NSF checks) are not met by the client.

To help insure your career success, Renaissance Group International, Inc., makes the following guarantee of services.

1. We will consult with you individually until you accept a position of your choice ("Career Position"), a promotion, or start your own business.
2. We will continue to work with you for  three (3) years or for  one (1) year from the date of this agreement
3. You will have access to our staff, proprietary methods, knowledge and resources.

Career Search Fees may be Tax Deductible. Keep records of all additional job hunting out-of-pocket expenses for tax purposes (travel, lodging, publications, etc.). Discuss deductibility of job hunting with your tax preparer.

<b>Client Name:</b> _____ <b>Address:</b> _____ <b>Telephone:</b> _____ <b>Date:</b> 9-29-05 <b>Client Signature:</b> _____	<b>Acknowledged By:</b> _____ For Renaissance Group International <b>Amount Paid:</b> _____ <b>Method of Payment:</b> _____ <b>Check Number:</b> _____ <b>Credit Card Number:</b> _____ <b>Expiration Date:</b> _____ <b>Auth #:</b> _____
---	--

**EXHIBIT 6**

COMPLAINT # 40046431

**COMPANY INFO**

NAME: **Hamilton Clark International**

**CONSUMER INFO**

NAME: [REDACTED]

ADDRESS: [REDACTED]

S VALUE: [REDACTED]

DAY PHONE: [REDACTED]

EVE PHONE: [REDACTED]

EMAIL: [REDACTED]

FAX: [REDACTED]

**DETAILS**

CONCERNING: **Refund or Exchange Issues**

OPENED: 09 May 2008

CLOSED: 01 October 2008

ENTERED BY:

ASSIGNED TO: Julie Dee

CLOSE CODE: 120 - Unresolved

CLOSED BY: Christine Wilks

NATURE OF DISPUTE: Hello, I signed an 18-month career advancement program that charged me \$2985.00 for services. I paid \$1000.00 cash on March 18, 2008. I never met with the primary consultant, Mason Fleming, and services were never performed on my behalf. All I have done is given them \$1000.00 for free. I asked for a refund and Linda McCluskey said the money was non-refundable even though I never met with Mason Fleming. The contract signed never indicated the money was non-refundable. I have called several times in attempt to receive a refund and I just get a run around. Now that I am calling, they have changed the voicemail and will not answer the phone. Please help!!!! I will never do business with a vicious company like this again. Thank you, [REDACTED]

DesiredSettlementID: Refund

Product\_Or\_Service: Career Advancement Program

Order\_Number: Retainer-\$2985 I pai

Purchase\_Price: 2985.00

DESIRED RESOLUTION: I want my \$1000.00 back in full.

BUSINESS RESPONSE:

DECISION:

ACTIVITY:

05/09/2008 web BBB Information/Complaint Received by BBB

05/09/2008 Otto MAIL Informed business of complaint

05/27/2008 Otto MAIL Second notice sent

06/09/2008 Otto BBB Case closed as unanswered

07/16/2008 JAD BBB ReOpened the Complaint

07/16/2008 JAD BBB RECEIVED DELAYED BUSINESS RESPONSE : I am sorry to have taken so long to get back with you. I am responding to your letter of May the 27th to me concerning Case # [REDACTED]. [REDACTED] signed up for services and signed an agreement to contract Hamilton Clark International with her employment issues. She made a down payment and then was never heard from her again till she wanted her money back.. Hamilton Clark was never given the opportunity to help her, but did incur the cost of setting her up as a client, enrolling her in a data base allowing her to use a nationwide in depth business search tool that are charged to Hamilton Clark International on a per seat license basis. She kept none of her scheduled meetings and defaulted on her payments.

Frankly, she signed up, made a down payment and disappeared.

Linda McCluskey

07/16/2008 JAD EMAIL Forwarded Delayed Response to Consumer

07/17/2008 WEB BBB RECEIVED CONSUMER REBUTTAL : (The consumer indicated he/she DID NOT accept the response from the business.)

First of all, there weren any scheduled meetings because the company wanted me to fill out several pages of paperwork and then they were to schedule a meeting. I did not complete the paper work in a timely matter because I was currently enrolled in school with research papers to finish. I even emailed Mason explaining my circumstances. He said he would forward the information to Linda but I never heard anything from her. It wasn't until I called to inquire about recieve a refund for services never rendered. There was no payment default because we never set up a payment schedule because no meetings were set up due to me not completing and turning in the paper work. I am truly regretful for incurring too much work and taking on too many responsibilities while trying to do a job search. However, Linda McCluskey can not say that additional meetings were scheduled and that I didn show up because I didn complete the necessary paperwork. Shame on her! I have a right to change my mind.

# **EXHIBIT 7**

Sign Out

For Employers: Search Resumes | Post Jobs | Advic

Earn a degree from University of Phoenix.



- B.S. in Nursing
- B.S. in Public Admin
- B.S. in Business
- M.A.
- B.S. in Human Services
- Master of Info Systems
- Master of Counseling
- M.A.
- B.S. in IT
- B.S. in Management
- Certificates
- MBA
- B.S. in Health Admin
- B.S. in Cr



- Home
- My CareerBuilder
- Find Jobs
- Post Resumes
- Job Alerts
- Advice & Resources



Which should I choose?

[View saved jobs](#)  
[Report this job to CareerBuilder](#)

### Renaissance Group International

[Save this job](#) | [Email This Job](#) | [Printer-Friendly Version](#)

Location: US-TN-Memphis  
 Base Pay: N/A  
 Employee Type: Full-Time Employee  
 Industry: Other Great Industries  
 Manages Others: no

Job Type: Other  
 Req'd Education: Not Specified  
 Req'd Experience: Not Specified  
 Req'd Travel: Not Specified  
 Relocation Covered: No

**CONTACT INFORMATION**

Contact: Not Available  
 Email: [Send Email Now](#)

Phone: Not Available  
 Fax: (901)758-0616  
[Instantly fax your resume! >>](#)

Ref ID: 2138097

**DESCRIPTION**

[View Original Newspaper Ad](#)

Renaissance Group International fulfilling your desires for your next position Executives & Professionals \$50K to \$250K You will not see many opportunities at this level. We focus exclusively on professional career search and transition for qualified, committed individuals interested in making meaningful career transitions. We draw from decades of professional career search experience to help our clients achieve their professional goals. We have been successful in helping: . Senior Executives . Mid Management . MBA's/PhDs . Accounting/Finance . Sales/Marketing . Logistics . Engineering . Manufacturing . IT Pros . Healthcare . Educators . Ex-Military Send your resume to move toward a more satisfying career T:(901)758-0838 F:(901)758-0616 E:[Click here for email](#) 3725 Champion Hills Dr., Suite 1000, Memphis, TN 38125

Source - Memphis Commercial Appeal

**EXHIBIT 8**

Home	Blog	Public Notices	Public Records	Name & Property Search	Watch Service	Data Direct	Marketing & Sales Lists	Crime Reports	Neighborhood Reports	Contact Us	Subscribe
RECORD TOTALS	DAY	WEEK	YEAR					RECORD TOTALS	DAY	WEEK	YEAR
PROPERTY SALES	97	272	11,728					BANKRUPTCIES	177	660	27,737
MORTGAGES	104	385	21,514					BUSINESS LICENSES	11	76	4,478
FORECLOSURE NOTICES	0	175	9,530					UTILITY CONNECTIONS	97	527	19,913
BUILDING PERMITS	112	649	24,766					MARRIAGE LICENSES	21	114	3,009

Vol. 124

Monday, January 26, 2009

Best Business, Politics & The Public Interest



Issues | About

FRONT PAGE NEWS

- Friday, Sep. 11, 2008
- Thursday, Sep. 10, 2008
- Wednesday, Sep. 9, 2008
- Tuesday, Sep. 8, 2008
- Monday, Sep. 7, 2008

« Back

Go to date:

Search News:

PUBLIC NOTICES

- Friday, Sep. 11, 2008
- Thursday, Sep. 10, 2008
- Wednesday, Sep. 9, 2008
- Tuesday, Sep. 8, 2008
- Monday, Sep. 7, 2008

« Back

Go to date:

Search Notices:

PUBLIC RECORDS

- Thursday, Sep. 10, 2008
- Wednesday, Sep. 9, 2008
- Tuesday, Sep. 8, 2008
- Monday, Sep. 7, 2008
- Friday, Sep. 4, 2008

« Back | Forward »

Go to date:

Search Records:

SEARCH THE WEB



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**BLOG** Times change.

## Business Markets People to Employers

[Print](#) | [Front Page](#) | [Email this story](#) | [Email reporter](#)

TOM WILEMON | The Daily News

The Franklin Group of America connects people with new employers, but don't call it a headhunting agency or a recruitment company.

The people at this business characterize what they do as something else.

"We're a marketing company more than a placement company or a recruiting firm," said **Kevin Shaw**, executive career consultant for The Franklin Group of America. "We figure out what the market will bear and market you. To me, that's the exact opposite of a recruiter or a head hunter. They are focused on the job, and we're focused on the person."



CAREER CONSULTANTS: Linda McCluskey, left, managing partner, and Kevin Shaw, executive career consultant, with The Franklin Group of America help people change careers and companies find key personnel. — PHOTO BY TOM WILEMON

### Finding the right fit

The company, which is in Suite 2121 of Clark Tower in East Memphis, was started by managing partner Linda McCluskey last May. However, the six employees have more than 40 years experience helping people transition careers.

"We had a young man who was selling copiers who is now in the financial industry," McCluskey said. "What we do is work with the person, look at everything you can do and open those doors for you. Whereas, a recruiter will take a banker and only open doors to the banking industry because he's not going to take you into manufacturing or an oil company or logistics because that's not his job. His job is to fill a position within a company. Ours is to ensure that person is a good fit."

The company is selective about what clients it will accept. Depending upon the situation, either the individual or the new employer will be charged for the services that The Franklin Group of America provides.

It focuses on middle-management opportunities up to the C-level positions of chief executive officer, chief financial officer and chief operating officer. The company has devised a method and network for learning about positions that are never advertised.

"On an average week, we see probably anywhere between 80 to 100 people for first interviews to determine if this is the right fit for them," McCluskey said. "Can we help them? What do you want to do? Then with the second interview that means I've got to make the final decision on who we work with. We work with and usually try to help people get into careers, five people maybe a week, so we're very selective."

To make the cut, someone has to have "multiple, marketable and transferable skills," Shaw said. College degrees are not always required.

"It's not a requirement if you've got life experience that can equate to a college degree," McCluskey said. "Experience outweighs the degree many times."

### Discovery in translation

The Franklin Group of America uses a concept created by a psychologist after World War II to help military people transition into civilian jobs as the platform for its process, McCluskey said.

"We're a marketing company more than a placement company or a recruiting firm. We figure out what the market will bear and market you."  
— Kevin Shaw  
Executive Career Consultant, The Franklin Group of America

"We have clients who come here who talk about flying helicopters," she said. "Well, what skill set is unique to flying a helicopter? Let's translate that and see where that fits into the civilian world and what company would need you. The concept is over 60 years old. We've tweaked it many times."

The best prospects are individuals who seek professional help with career transition on the front

facebook



Name:  
Memphis Daily  
News

end.

"They are going to have more choices a lot faster than that person who has been looking simply because they are not wading through a lot of rejection," McCluskey said.

Sometimes, the counselors end up being motivators for the clients.

"Recently, I had a gentleman who had been looking on his own for two and a half years with no luck," McCluskey said. "He was very marketable, but his self-confidence went down. He couldn't even get an interview. You've got HR people on the Internet screening for buzz words. After his first meeting here with our career consultant, he walked out hopeful. He knew there was hope for him."



# **EXHIBIT 9**

COMPLAINT # 40037023

**COMPANY INFO**

NAME: **Hamilton Clark International**

**CONSUMER INFO**

NAME:  
ADDRESS:



DAY PHONE: -  
EVE PHONE: [REDACTED]  
EMAIL: [REDACTED]  
FAX:

\$ VALUE:

**DETAILS**

CONCERNING: **Guarantee or Warranty Issues**  
OPENED: 16 April 2007  
CLOSED: 01 June 2007  
ENTERED BY:  
ASSIGNED TO: Megan Fuller  
CLOSE CODE: 110 - Resolved  
CLOSED BY: OttOotto

NATURE OF DISPUTE: Renaissance Group International made an offer of Guarantee partly written and partly promised/assured verbally, but well documented in their own Formats and by my emails and entered into an Agreement with me. They assured that they will get me multiple job offers within 2 to 4 weeks from the date of payment of full fees of \$ 3,280.00 in full. Basis their assurances I paid the full fees of \$ 3,280.00 on March 23, 2007.

But within the first couple of days, when I asked their Sr Vice President-Marketing/Advisor Mr Mason, for the plan of action for achieving what they promised, he said that he never promised. I wanted to meet their Executive Vice President-Marketing Ms Linda McClusky, who was involved in all the discussions with me and my daughter, to seek her help to resolve the issue. I gave a number of emails and left a number of voice mails over a period of full week to Mr Mason and Ms Linda seeking appointment to discuss the matter. But I have not received any reply from them so far. Then I asked them to refund the full fees, since they have not even commenced any work for me. But no reply for that also.

I am terribly frustrated at their fraud. I am a senior citizen and cannot afford to forget the amount \$ 3,280.00 paid to them.

I pray the Better Business Bureau, Memphis to intervene and do justice to me by ensuring that they refund the amount to me at the earliest. I will be ever grateful to the BBB.

DESIRED RESOLUTION: I am seeking refund of \$ 3,280.00 which I paid on March 23, 2007, since they have not even commenced any work for me.

BUSINESS RESPONSE: -----Original Message-----  
From: Memphis (mailto:memphis@hamiltonclarkint.com) On Behalf Of lmccluskey@hamiltonclarkint.com  
Sent: Tuesday, May 22, 2007 5:47 PM  
To: Megan Fuller  
Cc: Jerry Weinger  
Subject: [REDACTED]

Megan,

It was a pleasure to hear from you last week, but not under those circumstances. The client has issued a complaint against our company. Hamilton Clark has received a complete refund from his credit card company, Discover. We will not oppose this refund. We DO NOT want to service this client, [REDACTED] I hope this meets with the BBB's satisfaction.

Have a great and blessed day,

Linda McCluskey

DECISION:

ACTIVITY:

04/13/2007 web BBB Information/Complaint Received by BBB.

**EXHIBIT 10**

Inquiries for: Britton James & Associates													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	0	0	0	0	0	97	128	125	0	0	0	350
2008	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0

Business Inquiries and Complaints Totals			
Item	Last 12 month		Last 36 month
Inquiries			350
Complaints			0

Inquiries represented by the TOB (inquiries for any company in the TOBs listed)			
Code	Description	Last 12 month TOB Inq	Last 36 month TOB Inq
60182	Career & Outplacement Counseling	1219	1584
60326	Employment Agencies	2515	5260

Complaints represented by the TOB (all REPORTABLE complaints for any company in the TOB listed)			
Code	Description	Last 12 month Complaints	Last 36 month Complaints
60182	Career & Outplacement Counseling	2	3
60326	Employment Agencies	1	7

TOB's represented by the TOB Roster			
Code	Description	Last 12 Months Inq	Last 36 Months Inq
60326	Employment Agencies	189	336
60182	Career & Outplacement Counseling	77	106

Total TOB Rosters broken out by month													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	28	8	6	22	33	52	23	32	47	0	0	0	251
2008	7	17	12	3	36	5	9	20	21	0	12	3	145
2007	2	2	1	2	2	0	3	1	0	9	7	5	34
2006	5	1	3	7	16	5	10	8	4	2	4	6	71
2005	2	5	30	2	3	1	0	5	18	1	1	10	78
2004	2	0	0	0	1	1	1	1	0	7	3	3	19
2003	6	0	0	15	7	2	4	0	0	2	0	0	36
2002	3	1	2	2	0	0	0	0	0	0	0	0	8
2001	0	1	0	4	1	3	0	1	0	3	1	0	14
2000	1	1	3	0	2	1	1	1	0	1	2	0	13
1999	0	1	0	1	0	1	2	0	3	2	0	0	10
1998	2	2	0	0	3	0	1	0	0	0	0	1	9
1997	4	1	1	4	1	5	3	1	5	5	2	1	33
1996	0	0	0	0	0	0	0	0	6	2	1	2	11

All Closed Complaints by Month, Year (Includes non reportable complaints)													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0

Inquiries for: The Franklin Group of America													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	42	24	19	85	70	87	62	59	85	0	0	0	533
2008	0	0	0	0	0	23	26	27	34	30	40	40	220
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0

Business Inquiries and Complaints Totals		
Item	Last 12 month	Last 36 month
Inquiries		677
Complaints		2
		753
		2

Inquiries represented by the TOB (Inquiries for any company in the TOBs listed)			
Code	Description	Last 12 month TOB Inq	Last 36 month TOB Inq
60182	Career & Outplacement Counseling	1219	1584

Complaints represented by the TOB (all REPORTABLE complaints for any company in the TOB listed)			
Code	Description	Last 12 month Complaints	Last 36 month Complaints
60182	Career & Outplacement Counseling	2	3

TOB's represented by the TOB Roster			
Code	Description	Last 12 Months Inq	Last 36 Months Inq
60182	Career & Outplacement Counseling	77	106

Total TOB Rosters broken out by month													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	2	1	2	14	19	14	6	7	8	0	0	0	73
2008	3	3	2	0	0	2	0	6	2	0	4	0	22
2007	0	0	0	0	0	0	1	0	0	1	4	1	7
2006	0	1	3	6	4	0	2	0	1	0	2	2	21
2005	0	0	0	0	1	1	0	1	4	0	1	0	8
2004	1	0	0	0	1	0	0	1	0	0	0	0	3
2003	3	0	0	7	3	0	2	0	0	0	0	0	15
2002	0	0	1	1	0	0	0	0	0	0	0	0	2
2001	0	0	0	2	0	1	0	0	0	0	0	0	3
2000	0	0	1	0	1	0	0	0	0	0	0	0	2
1999	0	0	0	0	0	0	0	0	1	1	0	0	2
1997	1	0	0	0	0	0	0	0	2	0	0	0	3

All Closed Complaints by Month, Year (includes non reportable complaints)													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	1	0	0	0	1	0	0	0	0	0	0	2
2008	0	0	0	0	0	0	0	0	0	1	0	0	1
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0

BBB Online Reliability Seal Clicks (imported using stats.BBB Online Stats Importer)													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0

Other Inquiries	
Description	OtherTotal
Company URLs Clicked	124

Accredited Business Services Hits													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0

Accredited Business Directory Stats (last 12 months)																
Mon	TOB	Description	StartDate	EndDate	PricePaid	Level	Location	Views	Phone	Report	Coupon	Map	Web	AddLoc	Email	FullAd
2009-08-01	60182	Career & Outplacement Counseling					Alphabetical	12	3	0	0	0	0	0	0	0
2009-05-01	60182	Career & Outplacement Counseling					Alphabetical	17	2	0	0	0	0	0	0	0
2009-04-01	60182	Career & Outplacement Counseling					Alphabetical	10	0	0	0	0	0	0	0	0
TOTAL:								39	5	0	0	0	0	0	0	

URLs Clicked on		
URL	Times Clicked	When
http://www.thefranklingroupofamerica.com		6 June 2008
http://www.thefranklingroupofamerica.com		4 July 2008
http://www.thefranklingroupofamerica.com		10 August 2008
http://www.thefranklingroupofamerica.com		6 September 2008
http://www.thefranklingroupofamerica.com		11 October 2008

**Inquiries for: Hamilton Clark International**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	19	6	3	13	7	10	38	41	59	0	0	0	196
2008	20	22	48	38	13	5	9	4	11	0	6	14	190
2007	9	16	9	16	13	41	18	16	30	24	12	17	221
2006	15	4	18	7	15	12	15	24	38	19	30	8	205
2005	5	8	32	13	4	13	10	10	12	3	9	17	136

**Business Inquiries and Complaints Totals**

Item	Last 12 month	Last 36 month
Inquiries		227
Complaints		1
		698
		6

**Inquiries represented by the TOB  
(inquiries for any company in the TOBs listed)**

Code	Description	Last 12 month TOB Inq	Last 36 month TOB Inq
60326	Employment Agencies		2515
			5260

**Complaints represented by the TOB  
(all REPORTABLE complaints for any company in the TOB listed)**

Code	Description	Last 12 month Complaints	Last 36 month Complaints
60326	Employment Agencies		1
			7

**TOB's represented by the TOB Roster**

Code	Description	Last 12 Months Inq	Last 36 Months Inq
60326	Employment Agencies		189
			336

**Total TOB Rosters broken out by month**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	26	7	4	8	14	38	17	25	39	0	0	0	178
2008	4	14	10	3	36	3	9	14	19	0	8	3	123
2007	2	2	1	2	2	0	2	1	0	8	3	4	27
2006	5	0	0	1	12	5	8	8	3	2	2	4	50
2005	2	5	30	2	2	0	0	4	14	1	0	10	70
2004	1	0	0	0	0	1	1	0	0	7	3	3	16
2003	3	0	0	8	4	2	2	0	0	2	0	0	21
2002	3	1	1	1	0	0	0	0	0	0	0	0	6
2001	0	1	0	2	1	2	0	1	0	3	1	0	11
2000	1	1	2	0	1	1	1	1	0	1	2	0	11
1999	0	1	0	1	0	1	2	0	2	1	0	0	8
1998	2	2	0	0	3	0	1	0	0	0	0	1	9
1997	3	1	1	4	1	5	3	1	3	5	2	1	30
1996	0	0	0	0	0	0	0	0	6	2	1	2	11

**All Closed Complaints by Month, Year (includes non reportable complaints)**

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2009	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	1	0	0	0	1	0	0	1	0	0	3
2007	0	0	1	0	0	1	0	0	0	0	1	0	3
2006	0	0	0	0	0	0	0	0	0	1	0	0	1
2005	0	0	0	1	0	0	0	0	0	0	0	0	1

**EXHIBIT 11**

*HAMILTON CLARK INTERNATIONAL  
5100 POPLAR AVE SUITE 2121  
MEMPHIS, TN 38137  
(901) 591-1541  
Fax (901) 591-1545*

March 5, 2008

Julie Dee  
Dispute Resolution Coordinator  
BBB Of The Mid South  
3693 Tyndale Drive  
Memphis, Tennessee 381125

Re: Case # [REDACTED]

Dear Ms. Dee:

I am in receipt of a complaint by [REDACTED] to the BBB


[REDACTED] entered into a contract with Renaissance Group International on Nov 16, 2006 to obtain career management services to assist her in her career development. She paid a retainer of \$2,980.00 with an additional \$2,980.00 which was contingent upon her receiving a new job at a base of \$65,000.00 within the limits of the contract. The contract expired Aug 16, 2007 (9 months from inception). The contingent fee part of the contract was not exercised.

In addition, if the new company agreed to pay the fee, Renaissance Group Int. would refund [REDACTED] fee upon receipt of the fee paid by the new company. This did not occur.

In summary, [REDACTED] contract for services with Renaissance Group expired on Aug 16, 2007.

I have enclosed a copy of a signed contract.  
Please direct any questions to me.

Very truly yours,

  
Linda McClusky

**EXHIBIT 12**



- Home
- Individualized Services
- Outplacement
- Testimonials
- Resources
- Contact Us

## Testimonials

The following are excerpts of just a few letters out of many we've received from our clients:

*"When I met with you initially, my company of almost 20 years had eliminated my position and put me in today's job market. After a week of pursuing opportunities on my own, I realized I needed help. By using your techniques I went through the interview process extremely prepared and was offered a position in upper management. The hiring manager advised me that I'm a candidate for promotion and should be in my next position within 6-12 months. All this and I haven't even started yet!!!! Your coaching, enthusiasm and positive attitude are contagious. Without your encouragement, showing me the steps, and answering hundreds of my e-mails and phone calls, I would not be in this position."*  
J.G.

*"From our first meeting where you identified my strongest selling points, to our final negotiation meeting prior to my accepting the position as President of a new company, your coaching and insight were critical to my ultimate success. Basically, whenever I was invited to interview, the result was a job offer! I can't thank you enough for your giving me the tools and teaching me the techniques to land the offers."*  
D.P.

J.L.

*"The discussions and training sessions we had about the job market, what decision-makers are looking for in new employees, and how to prepare for the interview were beneficial in helping me get a rewarding position. The education I received during these sessions with you has also gone a long way in helping me do a better job in hiring the right people to work for our company"*  
T.D.

*"I have been wrapped up in the new job! So far it is wonderful. I could not have done it without your commitment to me to find an employer like XXXXXX! The whole process has been amazing. I learned a ton about myself and what kind of career I wanted. I have been able to set goals and attain them with your help. You gave me the confidence and the tools that I needed to get my foot in the door of many great potential employers. Using the techniques that you taught me I was even able to negotiate a \$10,000 raise in salary!"*  
L.P.

*"This letter is to thank you for your coaching, mentoring, and patience that enabled me to land a Director of Sales position for a regional company with 7 office locations. Your consistent encouragement and guidance during this process ensured that I would be able to negotiate my value. I replaced my previous salary along with a very attainable quarterly bonus, company paid insurance, liberal vacation accrual, and a company vehicle with reimbursed expenses. You were the sensible and knowledgeable "sounding board" that I needed during my search, offer evaluation, and negotiation stages. Again, I thank you for your insight and experience!"*  
M.L.