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**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

STATE OF OHIO, EX REL, MICHAEL DEWINE, ATTY
GEN.

Plaintiff

CHRISTOPHER SYDLO, ET AL

Defendant

Case No: CV-13-799185

Judge: CAROLYN B FRIEDLAND

JOURNAL ENTRY

92 DEFAULT - FINAL

PLAINTIFF STATE OF OHIO, EX REL. MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANTS CHRISTOPHER SYDLO AND BEAR TRANSMISSIONS INC., FILED 04/11/2013, IS GRANTED. ORDER ATTACHED. FINAL. COURT COST ASSESSED TO THE DEFENDANT(S).

Judge Signature

Date

RECEIVED
ATTORNEY GENERAL OF OHIO

MAY 29 2013

CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

STATE OF OHIO, ex rel.
MICHAEL DEWINE
ATTORNEY GENERAL OF OHIO
State Office Building, 11th Fl.
615 West Superior Avenue
Cleveland, Ohio 44113-1899

Plaintiff,

-vs-

CHRISTOPHER SYDLO

and

BEAR TRANSMISSION, INC.

Defendants.

CASE NO. CV 13 799185

JUDGE CAROLYN B. FRIEDLAND



DEFAULT JUDGMENT ENTRY AND ORDER

This cause came to be heard upon Plaintiff's Motion for Default Judgment
Against Defendants Christopher Sydlo and Bear Transmissions pursuant to Civil Rule
55(A). Defendants were properly served and have failed to defend against this motion or
file an Answer before the Court. The Court finds the motion well taken and hereby
grants and sustains Plaintiff's Motion for Default Judgment. The Court, based on that
motion and Plaintiff's Complaint, and the affidavits presented at hearing, hereby renders
the following Default Judgment Entry and Order.

FINDINGS OF FACT

1. Defendant Christopher Sydlo is an individual who at all times relevant herein, operated Bear Transmissions, Inc.
2. Defendant Sydlo and Bear Transmissions Inc. solicited consumers for automobile transmission parts and services from Bear Transmissions Inc. location in Newburgh Heights, Cuyahoga County, Ohio.
3. Defendants accepted money from consumers and failed to provide contracted transmission parts and services to consumers for their automobiles. At all times herein, consumers received and relied upon statements and misrepresentations made by Defendant Sydlo, personally and in writing. Defendant Sydlo allowed, caused or ratified such acts and practiced described above.

CONCLUSIONS OF LAW

4. The Court has jurisdiction over the subject matter, issues and parties to this action and venue is proper.
5. The business practices of the Defendants as described herein and in Plaintiff's Complaint are governed by the Consumer Sales Practices Act, R.C. 1345.01 et seq.
6. The Ohio Attorney General, acting on behalf of the citizens of Ohio, and in the best interest of the State, is the proper party to commence this action under the authority of the Ohio Consumer Sales Practices Act, R.C. 1345.07, and by virtue of his authority to protect the interest of the citizens of the State of Ohio.
7. Defendants are "suppliers", as that term is defined in R.C. Section 1345.01(C), as

Defendants are engaged in the business of effecting "consumer transactions" by offering automotive transmission parts and services for a fee, within the meaning of R.C. Section 1345.01(A).

8. Defendants have committed unfair and deceptive acts or practices in violation of the Consumer Sales Practices Act, R.C. 1345.02(A) and the Ohio Administrative Code 109:4-3-09, by accepting money from consumers for goods and services and failing to make full delivery or a refund.

WHEREFORE, this Court ORDERS that:

- A. Each act or practice of which Plaintiff complains violates the Ohio Consumer Sales Practices Act in the manner set forth in the Complaint.
- B. Defendant Sydlo is PERMANENTLY ENJOINED from engaging in the acts or practices in violation of the Ohio Consumer Sales Practices Act, R.C. 1345.01 et seq.
- C. Defendant Sydlo is PERMANENTLY ENJOINED from engaging in business in the State of Ohio as a supplier until all judgment ordered remuneration is paid, including any outstanding unsatisfied judgment arising out of a prior consumer transaction; and is further enjoined from engaging in the acts and practices of which Plaintiff complains.
- D. Defendant Sydlo is ORDERED to maintain in his possession and control for a period of five (5) years all business records relating to Defendant's solicitation or effectuation of business in Ohio and to permit the Ohio Attorney General or his representative, upon reasonable, twenty-four (24) hour notice, to inspect and/or copy any and all of said records, however stored, and further are ORDERED that copies of such records be provided at Defendant's expense to the Ohio Attorney General upon

request of the Ohio Attorney General or his representatives;

- E. Defendants are jointly and severally liable for consumer restitution in the amount of Seven Thousand Five Hundred and Eighty Five Dollars (\$7,585.00). Payment(s) shall be made to the Office of the Ohio Attorney General ("Attorney General"), to be distributed by the Attorney General in his sole discretion. The Attorney General will distribute this payment to individual consumers. Any remaining amount not distributed to consumers will revert to the Ohio Consumer Protection Enforcement Fund. Payment(s) shall be made by delivering a certified check or money order within 30 days of the date of this entry, made payable to the "Ohio Attorney General," to:

Teresa Goodridge
Legal and Finance Assistant
Consumer Protection Section
30 E. Broad Street, 14th Floor
Columbus, Ohio 43215

- F. Defendant Sydlo is assessed civil penalties in the amount of Fifteen Thousand Dollars, (\$15,000.00). Payment(s) shall be made by delivering a certified check or money order within 30 days of the date of this entry, made payable to the "Ohio Attorney General," to:

Teresa Goodridge
Legal Research and Finance Assistant
Consumer Protection Section
30 E. Broad Street, 14th Floor
Columbus, Ohio 43215

- G. Defendant Sydlo is liable for all court costs associated with bringing this action.

G. Defendant Sydlo is liable for all court costs associated with bringing this action.

IT IS SO ORDERED

4-30-13

Date

Carolyn B. Friedland

Judge Carolyn B. Friedland

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MAY 02 2013

CUYAHOGA COUNTY
CLERK OF COURTS
By [Signature] Deputy

Cuyahoga County Case Number 799185
Judge Carolyn B. Friedland

Christopher Sydlo / Bear Transmission Damages Summary

Jonathan Baker	\$1500
Oliver Finklea Jr.	\$ 335
Rasheedah Hardwick	\$ 750
Victor Pavlovic	\$ 600
Mary Ann Schumitsh	\$2800
Mike Steele	\$ 800
LaTonia Stephens	<u>\$ 800</u>
Total	\$7585

