

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

STATE OF OHIO, <i>ex rel.</i>	:	
MICHAEL DEWINE	:	CASE NO. 14 CV 002110
ATTORNEY GENERAL OF OHIO	:	
	:	JUDGE: RICHARD S. SHEWARD
Plaintiff,	:	
	:	
v.	:	
	:	
OLD SKOOL SPORTS, LLC	:	<u>CONSENT JUDGMENT ENTRY</u>
	:	<u>AND ORDER WITH DEFENDANT</u>
and	:	<u>CHRISTOPHER SABATINO</u>
	:	
CHRISTOPHER SABATINO	:	
	:	
Defendants.	:	

PREAMBLE

This matter came to be heard upon the filing of a complaint by Plaintiff, State of Ohio, through Ohio Attorney General Michael DeWine ("Plaintiff" or "Attorney General"), alleging that Defendants Old Skool Sports, LLC ("Defendant Old Skool") and Christopher Sabatino ("Defendant Sabatino") have violated the Ohio Consumer Sales Practices Act, R.C. 1345.01 et seq. ("CSPA"). By signing this Consent Judgment Entry and Order ("Consent Judgment"), Defendant Christopher Sabatino submits to the personal jurisdiction of this Court and consents to the entry of this Consent Judgment pursuant to R.C. 1345.07(F). This Consent Judgment does not resolve the litigation against Defendant Old Skool.

Defendant Sabatino hereby consents to the Court's finding of the following facts and conclusions of law, to the imposition of this Consent Judgment, and to the rights of Plaintiff to enforce this Consent Judgment.

**RECEIVED**  
ATTORNEY GENERAL OF OHIO

JUL 22 2014

CONSUMER PROTECTION SECTION  
PUBLIC INSPECTION FILE

**FINDINGS OF FACT**

1. Defendant Christopher Sabatino is a resident of the State of Ohio and is the owner, officer, and operator of Defendant Old Skool Sports, LLC.
2. Defendant Sabatino was engaged in the business of soliciting, offering, and selling individual and/or team spots to participate in sports leagues and related goods, in the State of Ohio, including in Franklin County.
3. Defendant Sabatino solicited, offered, and sold individual and/or team spots to participate in sports leagues and for related goods through the websites [www.oldschoolsports.com](http://www.oldschoolsports.com) and [www.sportscentralohio.com](http://www.sportscentralohio.com).
4. Defendant Sabatino entered into contracts with consumers in order for consumers to purchase individual and/or team spots to participate in sports leagues and for related goods, such as flag football, cheerleading, and t-ball, and team uniforms.
5. Defendant Sabatino accepted payments from consumers as payments to participate in the Defendants' sports teams.
6. Defendant Sabatino failed to provide consumers with the individual and/or team spots to participate in sports leagues or the related goods purchased, even after eight weeks had elapsed since Defendant Sabatino accepted money from the consumers as payment for the goods and services ordered.
7. Defendant Sabatino failed to refund consumers' payments for individual and/or team spots to participate in sports leagues and for related goods, even after eight weeks had elapsed without Defendant Sabatino fully providing such goods and services ordered.

8. Defendant Sabatino failed to provide refunds to consumers upon request in accordance with the Defendant Old Skool's refund policy.
9. Defendant Sabatino failed to provide the sports leagues for which consumers contracted.
10. Defendant Sabatino, at all relevant times, authorized, directed, ratified, and personally committed or participated in the acts and practices of Defendant Old Skool.

**CONCLUSIONS OF LAW**

11. The Attorney General is the proper party to commence these proceedings under the authority of the CSPA and by virtue of his statutory and common law authority to protect interests of the citizens of the State of Ohio.
12. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04.
13. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(B), in that some of Defendant Sabatino's actions complained of herein, and out of which this action arose, occurred in Franklin County, Ohio.
14. Provisions of the CSPA, R.C. 1345.01 et seq. govern the business practices of Defendant Sabatino.
15. Defendant Sabatino is a "supplier," as defined in R.C. 1345.01(C), as Defendant Sabatino is, and has been, at all times relevant herein, engaged in the business of effecting consumer transactions by soliciting, offering, and selling services to participate on sports teams and for related goods, to individuals in Franklin County and other counties in the State of Ohio for purposes that were primarily personal, family or household within the meaning specified in R.C. 1345.01(A) and (D).

16. Defendant Sabatino has committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A) and the Ohio Admin. Code 109:4-3-09(A), by accepting payments from consumers for individual and/or team spots to participate in sports leagues and for related goods and failing to deliver the goods and services contracted and paid for, and failing to return the payments to the consumers.
17. Defendant Sabatino has committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by engaging in inadequate and unfair customer service.

**ORDER**

For purposes of affecting this Consent Judgment Entry and Order, it is therefore

**ORDERED, ADJUDGED, and DECREED** that:

1. Plaintiff's request for a declaratory judgment is GRANTED; and it is therefore DECLARED that the acts and practices enumerated in the Conclusions of Law violated the CSPA, R.C. 1345.01 et seq., and the Substantive Rules thereunder, in the manner set forth in this Consent Judgment.
2. It is further ORDERED that Defendant Sabatino is hereby PERMANENTLY ENJOINED from violating the CSPA, R.C. 1345.01 et seq., and the Substantive Rules thereunder.
3. Defendant Sabatino, operating as Old Skool Sports or any other name, is ENJOINED from engaging as a supplier in any consumer transactions in the State of Ohio until this Consent Judgment is satisfied in its entirety.
4. Defendant Sabatino, operating as Old Skool Sports, LLC, or any other names, is PERMANENTLY ENJOINED from owning or operating any business that operates and

effects consumer transactions in a manner the same or similar to the business described in this Consent Judgment in the State of Ohio.

5. IT IS FURTHER ORDERED that Defendant Sabatino is liable for and shall provide consumer restitution in the amount of Three Thousand Dollars (\$3,000.00), to be distributed by the Ohio Attorney General's Office in its sole discretion. Any amount not distributed to consumers shall revert to the Ohio Attorney General to be placed in the Consumer Protection Enforcement Fund. The referenced restitution is for consumers who contracted with Defendants to participate on sports teams and did not receive the services and related goods contracted for and did not receive a refund of their payments. Payment shall be due upon the date of the entry of this Consent Judgment and shall be made by delivering a check payable to the Ohio Attorney General and delivered to:

**Compliance Officer  
Ohio Attorney General Consumer Protection Section  
30 E. Broad St., 14<sup>th</sup> Floor  
Columbus, Ohio 43215**

6. Pursuant to R.C. 1345.07, Defendant Sabatino is ORDERED to pay a civil penalty in the amount of Ten Thousand Dollars (\$10,000.00). Seven Thousand Five Hundred Dollars (\$7,500.00) of said penalty is suspended upon full compliance with this Judgment, including the payment terms. Payment of Two Thousand Five Hundred Dollars (\$2,500.00) shall be made in eighteen monthly installments of One Hundred and Thirty-nine Dollars (\$139.00) starting on July 1, 2014. If Defendant fails to comply with all provisions in this Consent Judgment, the remainder of the Ten Thousand Dollars (\$10,000.00) in civil penalties shall be due and payable upon demand. Payments shall be

made by delivering a certified check payable to the Ohio Attorney General and delivered to:

**Compliance Officer  
Ohio Attorney General Consumer Protection Section  
30 E. Broad St., 14<sup>th</sup> Floor  
Columbus, Ohio 43215**

7. It is further ORDERED that in the event the Attorney General must initiate legal action or incur any costs to compel Defendant Sabatino to abide by this Consent Judgment, Defendant Sabatino shall be liable to the Attorney General for any such costs associated with enforcing the Consent Judgment, including, but not limited to, a reasonable sum for attorneys' fees.
8. Defendant Sabatino shall not represent, directly or indirectly, that the Court or the Ohio Attorney General has sanctioned, condoned, or approved any part or aspect his business operations.
9. Nothing in this Consent Judgment shall preclude any investigation or enforcement action against Defendant Sabatino under any legal authority granted to the State of Ohio for transactions not related to the subject matter of this action, or that occur after the entry of this Consent Judgment.
10. It is further ORDERED that Defendant Sabatino shall pay all court costs associated with this matter.
11. The Court shall retain jurisdiction to enforce compliance with this Consent Judgment.

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DATE

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JUDGE RICHARD S. SHEWARD

**Approved:**

MICHAEL DEWINE  
Attorney General

*/s/ Teresa A. Heffernan*

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TERESA HEFFERNAN (0080732)  
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*Counsel for Plaintiff*

DEFENDANT CHRISTOPHER SABATINO

*/s/ Christopher Sabatino, Pro Se Litigant, per written authorization, by Teresa Heffernan,  
Counsel for Plaintiff*

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CHRISTOPHER SABATINO  
Individually

Franklin County Court of Common Pleas

**Date:** 07-21-2014  
**Case Title:** OHIO STATE ATTORNEY GENERAL MICHAEL DEWI -VS- OLD  
SKOOL SPORTS LLC ET AL  
**Case Number:** 14CV002110  
**Type:** CONSENT ORDER

It Is So Ordered.

A handwritten signature in black ink, reading "Richard S. Sheward", is written over a circular, textured grey stamp. The signature is fluid and cursive.

Judge Richard S. Sheward