

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

STATE OF OHIO, *ex rel.*
MICHAEL DEWINE
ATTORNEY GENERAL OF OHIO

Plaintiff,

v.

OLD SKOOL SPORTS, LLC et al.

Defendants.

:
: CASE NO. 14 CV 002110
:

: JUDGE RICHARD S. SHEWARD
:
:

RECEIVED
ATTORNEY GENERAL OF OHIO

JUL 22 2014

CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE

DEFAULT JUDGMENT ENTRY AND ORDER AGAINST DEFENDANT

OLD SKOOL SPORTS, LLC

This cause came to be heard upon Plaintiff's Motion for Default Judgment Against Defendant Old Skool Sports, LLC pursuant to Civil Rule 55(A). Defendant was properly served, has failed to file an answer to Plaintiff's Complaint, and has failed to defend against this motion or appear before the Court in any manner. 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, hereby renders the following Default Judgment Entry and Order.

FINDINGS OF FACT

1. Defendant Old Skool Sports, LLC ("Old Skool") is an Ohio-registered limited liability company that primarily did business from its website, www.oldschoolsports.com.
2. Defendant was, and has been at all relevant times, 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 solicited, offered, and sold its individual and/or team spots to participate in sports leagues and for related goods through the website www.oldschoolsports.com.

4. Defendant 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 accepted payments from consumers as payments to participate in the Defendant's sports teams.
6. Defendant 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 accepted money from the consumers as payment for the goods and services ordered.
7. Defendant 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 fully providing such goods and services ordered.
8. Defendant failed to provide refunds to consumers upon request in accordance with the Defendant's refund policy.
9. Defendant failed to provide the sports leagues for which consumers contracted.

CONCLUSIONS OF LAW

10. The Court has jurisdiction over the subject matter, issues, and parties to this action and venue is proper.
11. The business practices of Defendant as described herein and in Plaintiff's Complaint are in governed by the Ohio Consumer Sales Practices Act ("CSPA") , R.C. 1345.01 et seq.
12. The Ohio Attorney General Michael DeWine, acting on behalf of the citizens of Ohio and in the best interest of this state, is the proper party to commence this action under the

authority of the CSPA, R.C. 1345.07, and by virtue of his authority to protect the interests of the citizens of the State of Ohio.

13. Defendant is a “supplier,” as defined in R.C. 1345.01(C), as Defendant 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).
14. Defendant 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.
15. Defendant 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 services.

WHEREFORE, this Court ORDERS that:

1. Each act or practice of which Plaintiff complains violates the CSPA in the manner set forth in the Complaint.
2. Defendant and its agents, representatives, salesmen, employees, successors and assigns and all persons acting in concert or participation with Defendant, directly or indirectly, are PERMANENTLY ENJOINED from engaging in the acts or practices in violation of the CSPA, R.C. 1345.01 et seq.

3. Defendant is PERMANENTLY ENJOINED from engaging in business in the State of Ohio as a supplier and from soliciting, offering, and selling individual and/or team spots to participate in sports leagues and related goods until all judgment ordered remuneration is paid, including any outstanding unsatisfied judgment arising out of a prior consumer transaction.
4. Defendants is ORDERED to maintain in its 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;
5. Defendant is ORDERED to pay a civil penalty of Ten Thousand Dollars (\$10,000.00) to Plaintiff.
6. Defendant is liable for all court costs associated with bringing this action.

IT IS SO ORDERED

DATE

JUDGE RICHARD S. SHEWARD

Submitted By:

MICHAEL DEWINE
Attorney General

/s/ Teresa A. Heffernan

TERESA A. HEFFERNAN
Ohio Supreme Court No. 0080732
Senior Assistant Attorney General
Consumer Protection Section
30 East Broad Street, 14th Floor
Columbus, Ohio 43215-3428
(614) 466-1305
(866) 521-9921 (facsimile)
teresa.heffernan@ohioattorneygeneral.gov

Clerk, copies to:

Teresa A. Heffernan
Senior Assistant Attorney General
Consumer Protection Section
30 East Broad St., 14th Floor
Columbus, Ohio 43215

Old Skool Sports, LLC
7091 Windswept Way
Worthington, Ohio 43235

Christopher Sabatino
7091 Windswept Way
Worthington, Ohio 43235

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: DEFAULT TO CERTAIN PARTIES

It Is So Ordered.

A handwritten signature in black ink, reading "Richard S. Sheward", is written over a faint circular official seal of the Franklin County Court of Common Pleas.

Judge Richard S. Sheward