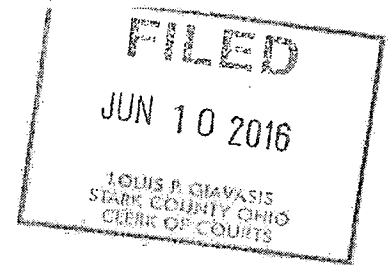


IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO



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

Plaintiff,

v.

AUTOMOTION CAR SALES LLC,
et al.,

Defendants.

CASE NO. 2015CV02277

JUDGE KRISTIN G. FARMER

CONSENT JUDGMENT AND
AGREED ENTRY AND ORDER
WITH DEFENDANTS
AUTOMOTION CAR SALES LLC
AND DIMITREOS ARMATAS

(FINAL APPEALABLE ORDER)

PREAMBLE

This matter came upon the filing of a complaint by Plaintiff, the Attorney General of Ohio, charging Defendants Automotion Car Sales, LLC and Dimitreos Armatas (hereinafter "Defendants") with violations of the Ohio Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.* Plaintiff and Defendants Automotion Car Sales, LLC ("ACS") and Dimitreos Armatas ("Armatas") have agreed to settle and resolve the matters contained herein and all claims alleged against them. By signing this Consent Judgment and Agreed Entry and Order ("Consent Judgment"), Defendants waive service of process of the summons and complaint, and/or any defects therein, submit to the personal jurisdiction of this Court, consent to the entry of this Judgment pursuant to R.C. 1345.07(F), to the imposition of this Consent Judgment, and to the rights of Plaintiff to enforce this Consent Judgment. Defendants expressly deny any violation or any liability arising out of federal, state or local law and the findings of fact stated in paragraphs 8-10 below. Pursuant to R.C. 1307(F), this Consent Judgment is not evidence of any prior violation of Chapter 1345 of the Ohio Revised Code. Pursuant to R.C. 1345.10, this Agreed Order is not admissible as prima

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facie evidence of the facts on which it is based for any subsequent proceedings brought under R.C. 1345.09.

FINDINGS OF FACT

1. Defendant ACS is an Ohio limited liability company last operating at 3742 Cleveland Avenue, Canton, Ohio 44709.
2. On information and belief, Defendant Armatas is an individual whose address is 7894 Arlington Avenue Northwest, North Canton, Ohio 44720.
3. Defendant Armatas had an ownership interest in and operated Defendant ACS and dominated, controlled and directed the business activities and sales conduct of ACS, and exercised the authority to establish, implement or alter the policies of ACS, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.
4. Defendants were at all times relevant to this action engaged in the business of soliciting, promoting, purchasing, selling, financing and collecting the proceeds of the sales of used motor vehicles from their location in Canton to consumers residing in Stark and other Ohio counties.
5. Defendants, operating under the name ACS, solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
6. Defendant ACS held license #UD016526 issued by the State of Ohio under R.C. 4517.01 *et seq.*, allowing it to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
7. Defendants were displaying or selling used motor vehicles at the ACS location.

ATTORNEY GENERAL'S ADDITIONAL ALLEGATIONS OF FACT

8. Defendants failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of a motor vehicle.
9. Defendants failed to obtain certificates of title on or before the Fortieth (40th) day after the sale of motor vehicles.
10. Title Defect Recision consumer claims totaling \$24,563.28 have been paid thus far from the Title Defect Recision Fund, administered by the Ohio Attorney General's Office, after the Defendants failed to obtain certificates of title on or before the Fortieth (40th) day after the sale of motor vehicles.

CONCLUSIONS OF LAW

1. The Attorney General is the proper party to commence these proceedings under the authority vested in him by the R.C. 1345.07 of the CSPA, and the Certificate of Motor Vehicle Title Act, and by virtue of his statutory and common law authority to protect the interests of the citizens of the State of Ohio.
2. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
3. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(B)(1)-(3), in that Defendant Armatas resides in, Defendants operated their business from, and the Defendants engaged in the transactions complained of in Stark County.
4. Defendants were "suppliers" as that term is defined in R.C. 1345.01(C) as they engaged in the business of effecting or soliciting "consumer transactions" as that term is defined in R.C. 1345.01(A).
5. Defendants engaged in "consumer transactions" by offering for sale, selling, or financing

the purchase of used motor vehicles to individuals for purposes that were primarily personal, family, or household within the meaning specified in R.C. 1345.01(A) and (D).

6. A supplier commits unfair and deceptive acts and practices in violation of the CSPA, R.C. 1345.02 by failing to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles as required by R.C. 4505.06(A)(5)(b).
7. A supplier commits unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title on or before the Fortieth (40th) day of sale of the motor vehicles as required by R.C. 4505.181(B)(1).
8. The actions, as set forth above, are in violation of the CSPA, and the Certificate of Motor Vehicle Title Act.
9. Such acts or practices have been previously determined by Ohio courts to violate the CSPA Act, R.C. 1345.01 et seq.

ORDER

- A. The Court hereby DECLARES that the acts and practices described above violate the CSPA, and the Certificate of Motor Vehicle Title Act in the manner set forth herein.
- B. Defendants, doing business under the name Automotion Car Sales, LLC or any other names, their officers, agents, representatives, salespersons, employees, successors, or assigns, and all persons acting in concert and participation with them, directly or indirectly, through any corporate device, partnership or association, are hereby PERMANENTLY ENJOINED from engaging in any unfair, deceptive, or unconscionable acts or practices that violate the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, 109:4-3-01 et seq., or the Certificate of Motor Vehicle Title Act, R.C.

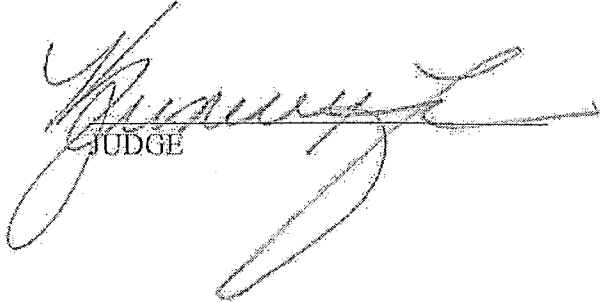
4505.01 *et seq.* including, without limitation, violations of the specific statutes described in this Consent Judgment.

- C. Pursuant to R.C. 1345.07(D), Defendants jointly and severally shall pay a civil penalty in the amount of Ten Thousand Dollars (\$10,000.00). Ten Thousand Dollars (\$10,000.00) of the civil penalty is suspended so long as Defendants are in compliance with all of the provisions of this entry.
- D. IT IS FURTHER ORDERED that Defendants jointly and severally shall reimburse the Title Defect Recision Fund Administered by the Ohio Attorney General in the amount of Twenty-four Thousand Five Hundred And Sixty-three dollars and Twenty-eight cents (\$24,563.28). Payment shall be paid in full at the time of the execution of the Consent Judgment. Payment shall be made to the Ohio Attorney General Compliance Officer, 30 E. Broad St., 14th Fl., Columbus, Ohio 43215.
- E. IT IS FURTHER ORDERED that Defendant Armatas shall be prohibited from applying for or obtaining an auto dealer or salesperson license under Chapter 4517 of the Revised Code if he is not in compliance with all of the provisions of this Consent Judgment.
- F. Defendants shall not represent, directly or indirectly, that the Ohio Attorney General has sanctioned, condoned, or approved any part or aspect of the business operations.
- G. It is further ORDERED that in the event the Ohio Attorney General must initiate legal action or incur any costs to compel Defendants to abide by this Consent Judgment, Defendants jointly and severally shall be liable to the Ohio Attorney General, should he prevail, for all related enforcement costs, including, but not limited to, a reasonable sum for attorneys' fees and investigative costs.

H. Defendants jointly and severally shall pay all court costs associated with this action.

IT IS SO ORDERED.

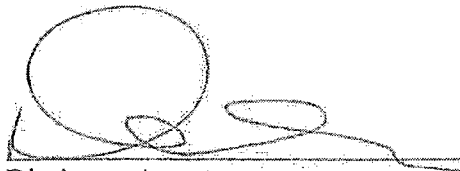
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JUDGE

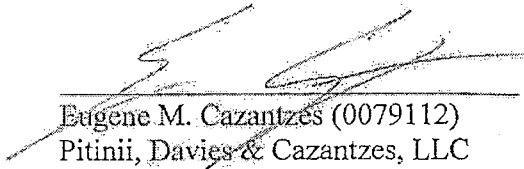
Agreed to by:

MICHAEL DEWINE
Attorney General

Exemail Approval 7/9/16
Rosemary E. Rupert (0042389)
Principal Assistant Attorney General
Director of the Title Defect Recision Unit
Consumer Protection Section
30 East Broad Street, 14th Floor
Columbus, Ohio 43215-3428
(614) 466-8831 (phone)
(614) 466-8898 (fax)
Counsel for Plaintiff



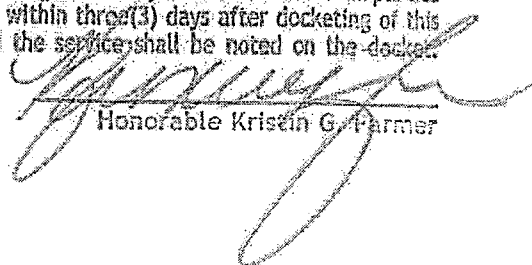
Dimitreos Armatas
7894 Arlington Ave. N.W.
North Canton, OH 44720
Defendant


Eugene M. Cazantzes (0079112)
Pitinii, Davies & Cazantzes, LLC
Chase Tower
101 Central Plaza South, Ste. 1000
Canton, Ohio 4702
(330) 458-2411 (phone)
(330) 458-2414 (fax)
Counsel for Defendants



Automotion Car Sales, LLC
Statutory Agent Dimitreos Armatas
Defendant

NOTICE TO CLERK:
FINAL APPEALABLE ORDER
IT IS HEREBY ORDERED that notice and a copy of the foregoing Judgment Entry shall be served on all parties of record within three(3) days after docketing of this Entry and the service shall be noted on the docket.


Honorable Kristin G. Farmer