

IN THE COURT OF COMMON PLEAS LICKING COUNTY, OHIO ^{2021 MAR 10 PM 1:37}

STATE OF OHIO, ex rel.
DAVE YOST
ATTORNEY GENERAL OF OHIO

Plaintiff,

v.

GLORY AUTO SALES LTD, et al.

Defendants.

CASE NO. 21 CV 0065 ^{OLIVER}

JUDGE THOMAS M. MARCELAIN

ENTRY AND ORDER GRANTING
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT
AGAINST DEFENDANTS

This cause came to be heard upon Plaintiff's Motion for Default Judgment against Defendants Glory Auto Sales Ltd ("Glory") and Cedric Gray ("Gray") (collectively "Defendants") pursuant to Civ. R. 55(A). Defendants were properly served in this matter, have failed to file an answer to Plaintiff's Complaint, and have 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 against Defendants.

FINDINGS OF FACT

1. Defendant Glory is an Ohio limited liability company with a principal place of business at 8560 E. Main Street, Reynoldsburg, Ohio 43068.
2. Defendant Gray is an individual whose address is 1205 Littlejohn Rd., Columbus, Ohio 43227.
3. 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 Reynoldsburg to consumers residing in Licking and other counties.

RECEIVED
ATTORNEY GENERAL OF OHIO

MAR 24 2021

The Clerk of Courts is hereby ORDERED
to serve a copy of the Judgment Entry
upon all parties or counsel.

CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE

4. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
5. At all relevant times hereto, Defendant Gray was the principal owner of Defendant Glory and dominated, controlled, and directed the business activities and sales conduct of Glory, exercised the authority to establish, implement, or alter the policies of Glory, and committed, allowed, directed, ratified, or otherwise caused the unlawful acts alleged in the Complaint to occur.
6. At all relevant times hereto, Glory held license #UD013845 issued by the State of Ohio under R.C. 4517.01 *et seq.*, allowing Glory to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
7. At all relevant times hereto, Defendants were displaying or selling used motor vehicles at the Glory location.
8. Defendants failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles.
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 ("TDR") consumer claims totaling \$13,163.14 were paid from the TDR 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.
11. After the payouts were made from the TDR Fund, the Defendants continued to operate without posting a bond required by R.C. 4505.181.
12. Defendants continued to engage in consumer transactions while having unpaid judgments

that arose from previous consumer transactions.

CONCLUSIONS OF LAW

1. The Court has jurisdiction over the subject matter, issues, Defendants, and venue is proper.
2. The business practices of Defendants, as described herein and in Plaintiff's Complaint, are governed by the Consumer Sales Practices Act, R.C. 1345.01 et seq.
3. The Ohio Attorney General, 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 Consumer Sales Practices Act ("CSPA"), R.C. 1345.07, and by virtue of his authority to protect the interests of the citizens of the State of Ohio.
4. Defendants are "suppliers," as that term is defined in R.C. 1345.01(C), as they engaged in the business of effecting "consumer transactions" by soliciting consumers for the sale and repair of motor vehicles for a fee, within the meaning of R.C. 1345.01(A).
5. Defendants committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), 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).
6. Defendants committed 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).
7. Defendants committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by continuing to operate while failing to post a bond after the Attorney General paid retail purchasers of the dealer from the TDR Fund due to the Defendants' failure to deliver titles to the purchasers, as required by R.C. 4505.181(A)(2).

8. Defendants committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A) by continuing to engage in consumer transactions while having unpaid judgments that arose from previous consumer transactions.
9. The acts or practices described in Conclusions of Law 5-8 have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. Plaintiff's request for Declaratory Judgment is GRANTED, and it is therefore DECLARED that the acts and practices set forth above violate the CSPA in the manner set forth therein.
2. Defendants are PERMANENTLY ENJOINED from engaging in any consumer transactions in the State of Ohio as an auto dealer.
3. Defendants, under the name Glory Auto Sales or any other name, their agents, representatives, salespeople, employees, successors and assigns, and all persons acting on behalf of them directly or indirectly, through any corporate or private device, partnership or association, are PERMANENTLY ENJOINED from engaging in the acts or practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 et seq. and the Substantive Rules enacted thereunder.
4. Defendants are ORDERED TO PAY a civil penalty of \$25,000.00 pursuant to R.C. 1345.07(D).
5. Defendants are prohibited from applying for an auto dealer license under Chapter 4517 of the Revised Code.

6. This Court shall retain jurisdiction for the purpose of enforcement, or for inclusion of a consumer restitution Order, in the event additional consumer complaints are filed with the Plaintiff.

7. Defendants are ORDERED to pay all court costs of this action.

IT IS SO ORDERED.



DATE

JUDGE THOMAS M. MARCELAIN

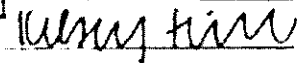
Submitted By:

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PRESCRIBED BY CIVIL RULE 5 (B) ON THIS 19
DAY OF March 2021



Clerk, please mail electronic copies to all parties of record: