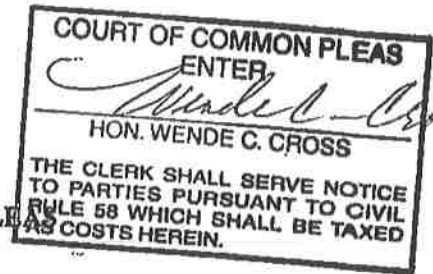


D133474272

IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO



STATE OF OHIO ex rel. ATTORNEY  
GENERAL DAVE YOST

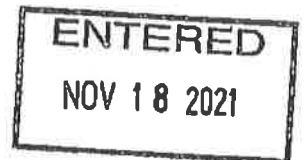
Plaintiff,

v.

ECONOMY MOTORS, LLC  
d/b/a GAS HOGS, et al.

Defendants.

: Case No. A 2000240  
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: Judge ~~Amper~~ Cross  
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: CONSENT JUDGMENT AND AGREED  
: ENTRY AND ORDER WITH  
: DEFENDANT KRISTOPHER WOLFF  
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RECEIVED  
ATTORNEY GENERAL OF OHIO

DEC 16 2021

CONSUMER PROTECTION SECTION  
PUBLIC INSPECTION FILE

PREAMBLE

This matter came upon the filing of a complaint by Plaintiff, State of Ohio, charging Defendants Economy Motors dba Gas Hogs ("Economy Motors"), Jeremy M. Skeens, and Kristopher Wolff 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 Defendant Kristopher Wolff ("Wolff") have agreed to settle and resolve all matters alleged in that Complaint as they pertain to Defendant Wolff<sup>1</sup>. By signing this Consent Judgment and Agreed Entry and Order ("Consent Judgment"), Wolff waives service of process of the summons and complaint, and/or any defects therein, submits to the personal jurisdiction of this Court,

<sup>1</sup> The Complaint against Defendants Jeremy Skeens and Economy Motors dba Gas Hogs is still pending.

consents 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.

#### **FINDINGS OF FACT**

1. Defendant Wolff is an individual whose address is 6102 Summerville Lane, Liberty Township, OH 45011.
2. Defendant Wolff at all times relevant to this lawsuit had an ownership interest in and operated Economy Motors, dominated, controlled, and directed the business activities and sales conduct of Economy Motors, and exercised the authority to establish, implement, or alter the policies of Economy Motors. Defendant Wolff committed, allowed, directed, ratified, or otherwise caused the unlawful acts that gave rise to this lawsuit.
3. Defendant Wolff was, at all times relevant to this lawsuit, engaged in the business of soliciting, promoting, purchasing, selling, and financing used motor vehicles, as well as collecting the proceeds of those sales from Defendant's location in Hamilton County to consumers residing in Hamilton County and other Ohio counties.
4. Defendant Wolff, operating under the name Economy Motors, solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
5. At all relevant times hereto, Defendant Wolff held license #UD020349, issued by the State of Ohio under R.C. 4517.01 *et seq.*, allowing him to engage in the business of displaying or selling, at retail or wholesale, used motor vehicles.

6. At all relevant times hereto, Defendant Wolff displayed and sold used motor vehicles at the Economy Motors location at 9185 Reading Road, Cincinnati, OH 45215.
7. Defendant Wolff failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles.
8. Defendant Wolff failed to obtain certificates of title on or before the Fortieth (40<sup>th</sup>) day after the sale of motor vehicles.
9. The Title Defect Recision ("TDR") Fund, which is administered by the Ohio Attorney General's Office, paid \$18,820.54 in consumer claims because Defendant Wolff failed to obtain certificates of title within Forty (40) days of the sale of motor vehicles.
10. Defendant Wolff continued to operate after failing to post a bond in the amount of \$25,000 as required by R.C. 4505.181 after the Attorney General paid a retail purchaser of the Defendant from the TDR Fund due to Defendant Wolff's failure to deliver titles to purchasers.

#### CONCLUSIONS OF LAW

11. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Ten (1-10) of this Consent Judgment.
12. Plaintiff, State of Ohio, by and through Counsel, the Attorney General of Ohio, Dave Yost, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.*
13. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C.

1345.04 of the CSPA.

14. This Court has venue to hear this case, pursuant to Ohio Civ. R. 3(C)(2) and (3), in that Hamilton County is where Defendant Wolff's principal place of business was located and where Defendant Wolff conducted some of the transactions complained of herein.
15. Defendant Wolff, as described, 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).
16. Defendant Wolff was a "supplier," as that term is defined in R.C. 1345.01(C), because he engaged in the business of effecting or soliciting "consumer transaction" as that term is defined by R.C. 1345.01(A).
17. Defendant Wolff committed unfair and deceptive acts or 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).
18. Defendant Wolff 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 (40<sup>th</sup>) day after the sale of the motor vehicles as required by R.C. 4505.181(B)(1).
19. Defendant Wolff committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by continuing to operate after failing to post a bond after the Attorney General paid retail purchasers of the Defendant from the TDR Fund due to

Defendant's failure to deliver titles to the purchasers as required by R.C. 4505.181(A)(2).

20. Such acts or practices have been previously determined by Ohio courts to violated the CSPA, R.C. 1345.01 *et seq.* Defendant Wolff committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**ORDER**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

- A. The acts and practices described in the Plaintiff's Complaint, and above in the Findings of Fact and Conclusions of Law, violated the CSPA, R.C. 1345.01 *et seq.*, and the Certificated of Motor Vehicle Act, R.C. 4505.01 *et seq.*, in the manner set forth in this Consent Judgment.
- B. Defendant Wolff, doing business under his own name, as Economy Motors, LLC dba Gas Hogs, or any other names, his agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert and participation with him, directly and indirectly, are hereby PERMANENTLY ENJOINED from committing any unfair, deceptive, or unconscionable act or practice that violates the CSPA, R.C. 1345.01 *et seq.*, or the Certificate of Motor Vehicle Title Act., R.C. 4505.01 *et seq.* in the manner set forth herein.
- C. Defendant Wolff is ORDERED to pay to the Attorney General's TDR Fund \$18,820.54 to reimburse funds expended to resolve title defects caused by Defendant Wolff's motor vehicle title violations. Payments shall be made in the following manner:
- a. Defendant Wolff shall pay consecutive monthly installments in the amount of \$500, with the first payment due on October 1, 2021, with 36 subsequent

payments due on the first day of each month through October 1, 2024, and the final 38<sup>th</sup> payment of \$320.54 due on November 1, 2024.

b. Payment of each monthly installment payment shall be made by delivery of a certified check or money order, made payable to the "Ohio Attorney General," to the following address:

Finance Specialist  
Consumer Protection Section  
Office of the Ohio Attorney General  
30 East Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215

- D. Pursuant to R.C. 1345.07, Defendant Wolff is ORDERED to pay a \$15,000 civil penalty, with the full amount suspended upon full compliance with the terms of this Consent Judgment. The \$15,000 suspended portion of this civil penalty shall become immediately due and payable if Defendant Wolff fails to comply with any terms of this Consent Judgment, including the payment provisions ordered in Paragraph C.
- E. IT IS FURTHER ORDERED that if Defendant Wolff fails to deliver any payment due hereunder to the Attorney General in accordance with the payment schedule ordered in Paragraph C above, all remaining monthly payments owed, and also the \$15,000 suspended civil penalty ordered pursuant to Paragraph D, shall immediately become due and payable.
- F. IT IS FURTHER ORDERED that the acceptance by the Attorney General of any payment due hereunder subsequent to the time such payment is due or the failure of the Ohio Attorney General to insist on strict performance of any order contained within this Consent Judgment, including the obligation created by the acceleration provision in

Paragraph E of this Consent Judgment, shall not be construed as a waiver of any of the obligations created by this Consent Judgment.

- G. IT IS FURTHER ORDERED that in the event that Plaintiff must initiate legal action or incur any costs to compel Defendant Wolff to abide by this Consent Judgment, Defendant Wolff shall be liable to the State should it prevail, for all related enforcement costs including, but not limited to, a reasonable sum for attorneys' fees and investigatory costs.
- H. Defendant Wolff is hereby notified that if he fails to make any payment due in accordance with this Consent Judgment, the unpaid amount due under this Consent Judgment may be referred to the Ohio Attorney General's Collection Enforcement Section for collection. Should the unpaid amount be referred for collection, the Collections Enforcement Section will assess additional collection fess and interest against Defendant Wolff pursuant to Ohio law, including, but not limited to R.C. 131.02, 109.08, and 109.071.
- I. Defendant Wolff shall not represent, directly or indirectly, that this Court or the Ohio Attorney General has sanctioned, condoned, or approved any part or aspect of his business operations.
- J. Defendant Wolff is ORDERED to pay all court costs.
- K. This Court shall retain jurisdiction to enforce compliance with this Consent Judgment.

**IT IS SO ORDERED**

11-18-2021

*Wendy A. Crow*

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DATE

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JUDGE

Agree to by:

DAVE YOST

Attorney General



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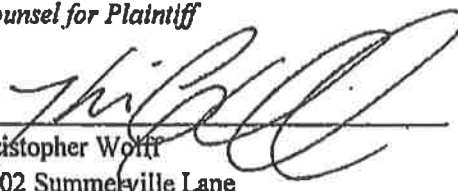
LISA M. TRELEVEN (0086628)

Assistant Attorney General

411 Vine Street, 1600 Carew Tower

Cincinnati, Ohio 45202

*Counsel for Plaintiff*



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Kristopher Wolff

6102 Summerville Lane

Liberty Township, Ohio 45011

*Defendant*



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Bradley Kramer (0070329)

Caparella-Kraemer & Associates, LLC

4841 A. Rialto Road

West Chester, Ohio 45069

*Counsel for Plaintiff*