

IN THE COURT OF COMMON PLEAS, DELAWARE COUNTY, OHIO

STATE OF OHIO EX REL.
DAVE YOST,
ATTORNEY GENERAL OF OHIO

Plaintiff,

vs.

WILLIAM D TAYLOR SR INC, dba
OG10KTECH, et al.,

Defendants.

Case No. 22 CV H 06 0319

JAMES P. SCHUCK, JUDGE

RECEIVED
ATTORNEY GENERAL OF OHIO

OCT 04 2023

CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE

FINAL JUDGMENT ENTRY AND ORDER
AWARDING DAMAGES

On August 11, 2023, the Court granted summary judgment in favor of Plaintiff against Defendant William D. Taylor Sr. That judgment followed a default judgment entered September 29, 2022 against William D. Taylor Sr. d/b/a OG10KTech. The Court now issues a final appealable order awarding damages.

In support of its claim for damages, Plaintiff filed a memorandum on September 14, 2023 that was supported by the affidavit of Plaintiff's investigator, Danielle Dent Dean. Ms. Dean averred that she interviewed over 250 consumers who filed complaints regarding their transactions with Defendants' business. She stated that at least 184 of those consumers paid Defendants in full for products that were not delivered, but were never issued a refund. [Affidavit of Danielle Dent Dean, ¶ 4.] She further averred, and

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provided an exhibit establishing, that those consumers have been damaged in a total amount of \$246,813.49. [Aff. ¶ 6.]

Based on this affidavit and related Exhibit 1-A, the Court awards Plaintiff damages in the amount of \$246,813.49. Defendants shall pay this amount to the Consumer Protection Section of the Office of the Ohio Attorney General for distribution to the 184 consumers identified in the spread sheet Exhibit 1-A to Ms. Dean's affidavit.

Plaintiff's motion for damages also requests an order for Defendant Taylor to pay a total of \$125,000 in civil penalties, comprised of \$25,000 for each Consumer Sales Practices Act ("CSPA") violation that is either an act or practice that was declared to be unfair, deceptive, or unconscionable by rule adopted pursuant to R.C. 1345.05(B)(2), or an act or practice that was determined by a court to have violated certain sections of the CSPA. Plaintiff asserts that Defendant Taylor committed multiple violations of the CSPA that meet the criteria necessary for a \$25,000 civil penalty for each separate violation as permitted by R.C. 1345.07(D).

Specifically, Plaintiff charges that Defendant Taylor violated R.C. 1345.02(A) by:

- Accepting money from consumers for goods, failing to make full delivery of the promised goods, and failing to provide full refunds;
- Selling merchandise on his website that he neither possessed nor could deliver;

- Failing to observe his duty to segregate purchase monies, resulting in the unavailability of funds to make consumers' requested refunds;
- Failing to provide refunds according to his own stated return policy;
- Falsely representing to consumers that the subject of a consumer transaction was available to consumers because of the Defendants' priority with distributors.

For each of these violations, Plaintiff asserts Defendants are subject to a \$25,000 civil penalty. Each allegation of a violation is supported by a citation to an Ohio Administrative Code section or case law in which similar conduct has been declared a CSPA violation.

Based on the large number of complaints, the amount of consumer harm resulting from Defendant Taylor's conduct, and in order to punish Defendant Taylor and deter future conduct, the Court imposes a civil penalty in the total amount of \$125,000 against Defendant Taylor.

The Court hereby orders Defendants jointly and severally to pay the Office of the Attorney General \$246,813.49 for consumer damages to be distributed to the 184 consumers who have suffered actual financial loss from the Defendants' deceptive acts and practices. Additionally, Defendant Taylor is ordered to pay a total of \$125,000 as a civil penalty.

IT IS SO ORDERED.

The Clerk of this Court is hereby ordered to serve a copy of this Judgment Entry upon all parties or their counsel through the Clerk's e-filing system, by regular mail, or by facsimile.

THIS IS A FINAL APPEALABLE ORDER.
THERE IS NO JUST CAUSE FOR DELAY


JAMES P. SCHUCK, JUDGE

The Clerk is ordered to serve upon all parties not in default to appear, notice of the judgment and date of entry upon the journal within three days of journalization.