

FILED

2025 JUL -3 AM 10:51

BRANDEN C. MEYER
CLERK OF COURTS
FAIRFIELD CO. OHIO

IN THE COURT OF COMMON PLEAS
FAIRFIELD COUNTY, OHIO

STATE OF OHIO, ex rel.)	CASE NO. 2025 CV 00387
DAVE YOST)	
ATTORNEY GENERAL OF OHIO)	
)	JUDGE BERENS
Plaintiff,)	
)	<u>ENTRY AND ORDER GRANTING</u>
v.)	<u>PLAINTIFF'S MOTION FOR</u>
)	<u>DEFAULT JUDGMENT</u>
HIGHWAY 22 AUTO SALES LLC, et al.)	<u>AGAINST DEFENDANTS</u>
)	
Defendants.)	

This cause came to be heard upon Plaintiff's Motion for Default Judgment against 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 Highway 22 Auto Sales LLC ("Highway 22") is an Ohio limited liability company doing business in Fairfield County and other counties in the State of Ohio with its principal place of business last located at 391 Lincoln Ave., Lancaster, Ohio 43130.
2. Defendant Debra Ann Jeffers ("Jeffers") is an individual residing at 1071 Woodlane Dr. N.E., Lancaster, Ohio 43130
3. Defendant Highway 22 was a licensed used motor vehicle dealer operating under an inactive permit issued by the Ohio Bureau of Motor Vehicles, permit number UD024178.
4. Defendant Jeffers is the principal owner of Defendant Highway 22 and dominated, controlled, and directed the business activities and sales conduct of Defendant Highway

RECEIVED
ATTORNEY GENERAL OF OHIO

JUL 08 2025

CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE

22, exercised the authority to establish, implement or alter the policies of Defendant Highway 22, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.

5. 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 to consumers residing in Fairfield and other Ohio counties.
6. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
7. In some instances, the Defendants did not have physical possession of the titles and/or the vehicles were not titled to the Defendants on the dates the vehicles were sold to consumers.
8. Defendants failed to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles.
9. Defendants failed to obtain certificates of title on or before the fortieth day after the sale of motor vehicles.
10. As the result of Defendants' conduct in paragraphs 7-9, consumers were unable to obtain certificates of title to their used motor vehicles and filed complaints with the Ohio Attorney General.
11. The Ohio Attorney General made payouts from the Title Defect Recision ("TDR") Fund for the Defendants' failure to transfer title. The Ohio Attorney General has paid \$32,326.00 from the TDR Fund for Defendants' failure to transfer title.

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 here and in Plaintiff's Complaint, are governed by the Consumer Sales Practices Act ("CSPA"), 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, 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, at all times relevant herein, engaged in the business of effecting "consumer transactions" by soliciting "consumers" for the sale or financing the purchase of used motor vehicles to individuals for purposes that were primarily personal, family or household, as those terms are defined in R.C. 1345.01(A).
5. Defendants committed unfair and deceptive acts or practices in violation of the Consumer Sales Practices Act, R.C. 1345.02(A), by failing to file applications for certificates of title within thirty 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 Consumer Sales Practices Act, 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 day after the sale of the motor vehicles as required by R.C. 4505.181(B)(1).
7. The acts or practices described in Conclusions of Law 5 and 6 have been previously determined by Ohio courts to violate the Consumer Sales Practices Act, R.C. 1345.01 et seq. or are acts and practices declared to be unfair or deceptive by a rule adopted pursuant to R.C. 1345.05(B)(2). Defendants committed said violations after the adoption of such

rule or 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, R.C. 1345.01 et seq. and the Substantive Rules enacted thereunder and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
2. Defendants, under the name Highway 22 Auto Sales, LLC 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 and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
3. Defendants are ORDERED, jointly and severally, to pay \$32,326.00 to the Ohio Attorney General's Office as recovery for and deposit into the TDR Fund.
4. Based on the above findings that Defendants committed unfair and deceptive acts and practices in violation of the CSPA, Defendants are ORDERED, pursuant to R.C. 1345.07(D), jointly and severally liable to pay a civil penalty to the Ohio Attorney General's Office in the amount of \$50,000.00, which shall be deposited into the Consumer Protection Enforcement Fund, with one-fourth the amount collected to go to the Fairfield County Treasurer, pursuant to R.C. 1345.07(G).

5. Defendants are prohibited from engaging in consumer transactions as a supplier in the State of Ohio until they have satisfied all civil penalties, court costs, and have made payment to the TDR Fund.
6. Defendants are prohibited from maintaining, renewing, or applying for an auto dealer license under Chapter 4517 of the Revised Code.
7. Defendants are ORDERED to pay Plaintiff's costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded.
8. Defendants are ORDERED to pay all court costs of this action.

IT IS SO ORDERED.

DATE



JUDGE RICHARD E. BERENS

Submitted By:

DAVE YOST
Attorney General

This may be a FINAL APPEALABLE ORDER and the Court hereby orders the Clerk to serve notice of this Judgment upon all parties.

/s/ Rosemary E. Rupert
ROSEMARY E. RUPERT (0042389)
Principal Assistant Attorney General
Consumer Protection Section
Ohio Attorney General's Office
30 East Broad Street, 14th Floor
Columbus, Ohio 43215-3428
(614) 466-8831 (phone)
(866) 473-6249 (fax)
Counsel for Plaintiff