

IN THE COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

STATE OF OHIO ex rel.
ATTORNEY GENERAL
DAVE YOST

Plaintiff,

v.

TREVOR B. BUSH, individually and
dba Greencastle Cemetery,
dba Harrison Township Cemetery
Association,
and dba Affordable Monuments LLC et al.

Defendants.

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: Case No. 2025 CV 00557
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: Judge Elizabeth A. Ellis
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: Final Judgment Order and Entry Against
: Defendants
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This matter came to be heard upon the filing of Plaintiff's Motion for Default Judgment on May 27, 2025. On May 30, 2025, this Court issued an Order and Entry Granting Default Judgment Against Defendants ("Default Judgment Order"). The Default Judgment Order included findings of facts and conclusions of law, granted Plaintiff's requests for injunctive and declaratory relief, and ordered Defendants Trevor B. Bush ("Bush") and Harrison Township Cemetery Association ("HTCA") (collectively, "Defendants") to pay civil penalties and consumer damages, in amounts to be determined later. The Court granted Plaintiff's request for permission to brief the Court within 60 days regarding the consumer damages and civil penalties amounts, and to present evidence of consumer damages via affidavits.

Plaintiff timely filed its Memorandum in Support of Consumer Damages and Civil Penalties ("Plaintiff's Memorandum") on July 28, 2025, requesting specified consumer damages and civil penalties.

The Court finds Plaintiff's requests well-taken. The evidence establishes that the eight

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consumers who submitted affidavits sustained monetary damages totaling \$12,454.49. Plaintiff's Memorandum establishes that, of these total consumer damages, Defendant Bush is solely liable for \$6,718.06 in damages owed to four consumers and Defendants Bush and HTCA are jointly and severally liable for \$5,736.43 in damages owed to four consumers. Plaintiff's Memorandum further establishes that the imposition of a \$20,000 civil penalty against Defendant Bush and a \$10,000 civil penalty against Defendant HTCA is appropriate and permitted by R.C. 1345.07(D).

Based on the above, the Court completely restates below the Findings of Fact, Conclusions of Law, and Orders from the Court's Default Judgment Order. The Court further issues new Orders specifying the consumer damages and civil penalty amounts.

FINDINGS OF FACT

1. Defendant Bush is a natural person who, at the time of filing the complaint, resided at 774 La Salle Drive, Dayton, Ohio 45417.
2. At various times relevant to this action, Defendant Bush did business using the names Greencastle Cemetery, Harrison Township Cemetery Association, and Affordable Monuments LLC.
3. Defendant Bush represented himself to consumers as being the owner or sexton of Greencastle Cemetery, located at 2045 Nicholas Road, Dayton, Ohio 45417.
4. Defendant HTCA was a nonprofit corporation that did business using the name Greencastle Cemetery, with a principal place of business of 2045 Nicholas Road, Dayton, Ohio 45417.
5. Defendant Bush dominated, controlled, directed, and approved the business activities and sales conduct of Defendant HTCA at the time of the violations set forth in the Complaint and caused, personally participated in, or ratified the acts and practices of HTCA, as described in the Complaint.

6. In August 2024, the Ohio Secretary of State issued a cancellation notice certifying that the HTCA business was canceled due to a failure to maintain a statutory agent.
7. Defendants were, at all times relevant to this action, engaged in the business of soliciting, offering for sale, and selling grave markers to consumers, as well as installing such grave markers.
8. Defendants solicited individuals to purchase headstones, tombstones, and other grave markers, and they represented that they would also provide the service of installing the grave markers.
9. Defendant Bush personally met with individuals, including at Greencastle Cemetery, to enter into contracts for the purchase of customized grave markers and related products and services.
10. Defendants accepted large, upfront payments from individuals for the purchase of customized grave markers and related products and services.
11. Defendants represented to consumers that delivery and installation of their customized grave markers would take an extended period of time, usually around several months.
12. Even after several months had passed, Defendants failed to deliver and install the customized grave markers.
13. When consumers inquired about the status of the customized grave markers they had ordered but had not yet received, Defendant Bush would give them excuses for the delay and would assure consumers that their customized grave marker would be finished and installed shortly. Despite these assurances, Defendants still failed to deliver the customized grave markers that consumers ordered.
14. Consumers who did not receive their customized grave markers requested refunds from

Defendants.

15. Defendants failed to refund consumers' payments despite consumers' requests for refunds.

CONCLUSIONS OF LAW

16. The Attorney General, acting on behalf of the State of Ohio and in the public interest, is the proper party to bring this action by virtue of the authority vested in the Attorney General by R.C. 1345.07.
17. The actions of Defendants have occurred in the State of Ohio, including in Montgomery County, and, as set forth below, are in violation of the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq., and its Substantive Rules, Ohio Adm.Code 109:4-3-01 et seq.
18. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
19. Venue in this Court is proper, pursuant to Ohio Civ. R. 3(C)(1)-(3), in that Montgomery County is where Defendant Trevor Bush resided, where Defendants' principal place of business was located, and where Defendants conducted some of the activity that gave rise to Plaintiff's claims for relief.
20. Defendants are "supplier[s]" as that term is defined in R.C. 1345.01(C) as Defendants were, at all times relevant herein, engaged in the business of effecting or soliciting "consumer transactions" by soliciting and selling goods or services to individuals for purposes that were primarily personal, family, or household within the meanings specified in R.C. 1345.01(A) and (D).
21. Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A) of the CSPA and the Failure to Deliver Rule, Ohio Adm.Code 109:4-3-09, by

accepting money from consumers for goods or services, failing to make full delivery of the promised goods or services, and failing to provide refunds.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

- A. Defendants, doing business under their own names, the names Greencastle Cemetery, Affordable Monuments LLC, or any other names, their agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert and participation with them, directly or indirectly, are PERMANENTLY ENJOINED, pursuant to R.C. 1345.07(A)(2), from committing any unfair, deceptive, or unconscionable acts or practices that violate the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, Ohio Adm.Code 109:4-3-01 et seq., including, but not limited to, violating the specific provisions described herein.
- B. It is DECLARED, pursuant to R.C. 1345.07(A)(1), that the acts and practices committed by Defendants, as set forth above, violate the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, Ohio Adm.Code 109:4-3-01 et seq., in the manner set forth herein.
- C. Pursuant to R.C. 1345.07(B), Defendant Bush is ORDERED to pay consumer damages in the amount of \$6,718.06 to the Consumer Protection Section of the Ohio Attorney General's Office, to be deposited into the Consumer Protection Section's holding account for distribution to the following four consumers:

First Name	Last Name	Amount
Tina	Alsup	\$2,000.00
Danita	Phillips	\$2,750.00
William	Snowden	\$687.06
Bond	Thomas, Jr.	\$1,281.00
	Total	\$6,718.06

D. Pursuant to R.C. 1345.07(B), Defendants Bush and HTCA are jointly and severally liable for, and ORDERED to pay, consumer damages in the amount of \$5,736.43 to the Consumer Protection Section of the Ohio Attorney General's Office, to be deposited into the Consumer Protection Section's holding account for distribution to the following four consumers:

First Name	Last Name	Amount
Margaret	Atkinson	\$1,400.00
Richard	Chandler	\$1,113.75
Loretta	Moore	\$1,000.00
Monica	Woods	\$2,222.68
	Total	\$5,736.43

E. Based on the above findings that Defendant Bush committed unfair and deceptive acts and practices in violation of the CSPA, Defendant Bush is ORDERED, pursuant to R.C. 1345.07(A) and 1345.07(D), to pay a civil penalty to the Ohio Attorney General's Office in the amount of \$20,000, to be deposited into the Consumer Protection Enforcement Fund, with one-fourth of the amount to the Montgomery County Treasurer, per R.C. 1345.07(G).

F. Based on the above findings that Defendant HTCA committed unfair and deceptive acts and practices in violation of the CSPA, Defendant HTCA is ORDERED, pursuant to R.C. 1345.07(A) and R.C. 1345.07(D), to pay a civil penalty to the Ohio Attorney General's Office in the amount of \$10,000, to be deposited into the Consumer Protection Enforcement Fund, with one-fourth of the amount to the Montgomery County Treasurer, per R.C. 1345.07(G).

G. The money due to the Ohio Attorney General's Office under paragraphs C, D, E, and F of this judgment shall be paid within seven days of the entry of this judgment by delivering a certified check or money order, payable to the "Ohio Attorney General's Office," to:

Financial Specialist
Consumer Protection Section
Office of the Ohio Attorney General
30 E Broad St., 14th Floor
Columbus, Ohio 43215

H. Pursuant to the Court's authority in R.C. 1345.07(B) to grant other appropriate relief, Defendants are ENJOINED from engaging in business as suppliers in any consumer transaction in the State of Ohio until such time as they have satisfied all monetary obligations ordered by this Court, and any other court in Ohio, in connection with a consumer transaction.

I. Defendants are ORDERED to pay all court costs.

J. Defendants are ORDERED to pay Plaintiff's collection costs and interest on the final judgment in this matter, as permitted by statute.

IT IS SO ORDERED.

Date

JUDGE ELLIS

Proposed Order Approved and Submitted By:

DAVE YOST
Ohio Attorney General

/s/ Tracy Morrison Dickens
Tracy Morrison Dickens (0082898)
Emily G. Dietz (0104729)
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General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Case Number:

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Case Title:

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Type:

Final Judgment Entry

So Ordered,

Electronically signed by ellisel on 07/30/2025 03:21:21 PM Page 8 of 8