

IN THE COURT OF COMMON PLEAS
WOOD COUNTY, OHIO

DOUGLAS F. CUBBERLEY
CLERK OF COURTS WOOD COUNTY OHIO

STATE OF OHIO ex rel.
ATTORNEY GENERAL
DAVE YOST

Plaintiff,

v.

JOHN E. STAUFFER, et al.,

Defendants.

CASE NO.: 2025CV0283

JUDGE MARY "MOLLY" L. MACK

Final Judgment Order and
Entry Against Defendants

This matter came to be heard upon the filing of Plaintiff's Motion for Default Judgment against Defendants John E. Stauffer ("Stauffer") and KJNS Enterprises LLC ("KJNS"), doing business as Prestige Family Cars (collectively, "Defendants"). Plaintiff filed its Complaint on April 24, 2025, and obtained service upon Defendant Stauffer on May 1, 2025, and upon Defendant KJNS on April 29, 2025. Defendants have failed to file an answer or otherwise appear in this action. Defendant Stauffer is not active duty military, a reservist in active federal service, or a National Guardsman in active service. He is also not a minor or incompetent person. The Court finds Plaintiff's Motion for Default well-taken. Therefore, pursuant to Civ.R. 55(A) and Loc.R. 7.02, the Court hereby **GRANTS** a default judgment against Defendants.

In addition to requesting a default judgment against Defendants, Plaintiff's Motion for Default also requested that the Court grant all the relief requested in Plaintiff's Complaint. The Motion for Default set forth Plaintiff's legal authority for the relief requested.

In accordance with R.C. 1345.07(A)(1), Plaintiff's Motion for Default requested an order declaring that Defendants engaged in acts and practices that violated the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq. Plaintiff further requested the issuance of a permanent

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injunction, pursuant to R.C. 1345.07(A)(2) of the CSPA, enjoining Defendants from engaging in the acts and practices described in the Complaint, including from violating the CSPA.

Regarding monetary requests, Plaintiff's Motion for Default asked the Court to order Defendants to repay to the Attorney General's Title Defect Recision ("TDR") Fund \$6,083.25. This amount reflects the balance Defendants owe to the TDR Fund of the money the Attorney General paid to resolve three consumers' title issues because of the violation committed by Defendants. The Plaintiff attached to its Motion for Default the affidavit of the Attorney General's Complaint Specialist from the Title Defect Recision Unit, who attested to the amount of money the Attorney General paid out from the TDR Fund related to this case. The Plaintiff also attached to its Motion for Default the affidavit of the Attorney General's Consumer Finance Specialist, who attested to receiving only one valid payment of \$800 from Defendant Stauffer, since the filing of Plaintiff's Complaint, towards Plaintiff's outstanding balance to the TDR Fund.

Plaintiff also requested that this Court order Defendants to pay a total of \$20,000.00 in civil penalties to the Attorney General's Office. As explained in Plaintiff's Motion, this amount is composed of \$15,000 that the Plaintiff seeks to have unsuspended from a 2016 Consent Judgment that Defendants entered into with the Attorney General, as well as the assessment of a new \$5,000.00 civil penalty, pursuant to R.C. 1345.07(D).

Finally, Plaintiff's Motion for Default explained the basis for the additional relief Plaintiff requested in accordance with R.C. 1345.07(B). Specifically, Plaintiff asked this Court to issue an order prohibiting Defendants from applying for or being granted an auto dealer license under Chapter 4517 of the Revised Code.

The Court finds the requests in Plaintiff's Motion for Default well-taken and **GRANTS** against Defendants all of the relief requested.

Based on the above, the Court renders a final judgment order and entry against Defendants KJNS and Stauffer and issues the following Findings of Fact, Conclusions of Law, and Orders.

FINDINGS OF FACT

1. Defendant Stauffer is a natural person who resides at 10297 Scarlet Oak Drive, Perrysburg, Ohio 43551.
2. Defendant KJNS is an Ohio limited liability company that had a principal place of business located at 7444 Fremont Pike, Perrysburg, Ohio 43551.
3. In November 2006, Defendant Stauffer filed Articles of Organization with the Ohio Secretary of State for Defendant KJNS Enterprises LLC.
4. Prestige Family Cars is an unregistered, fictitious business name.
5. Defendant Stauffer did business using the names KJNS Enterprises LLC and Prestige Family Cars to sell used motor vehicles.
6. Defendant Stauffer also obtained a salesperson's license at another dealership, Schuster's Auto, and, in some instances, intermixed paperwork from Schuster's with KJNS Enterprises LCC and Prestige Family Cars in completing consumer transactions.
7. Defendant KJNS did business using the name Prestige Family Cars to sell used motor vehicles.
8. Defendant Stauffer dominated, controlled, directed, and approved the business activities and sales conduct of Defendant KJNS at the time of the violations set forth herein and caused, personally participated in, or ratified the acts and practices of KJNS as described herein.
9. Defendants Stauffer and KJNS operated their used vehicle dealership, named Prestige

Family Cars, at 7444 Fremont Pike, Perrysburg, Ohio 43551, during the time relevant to the transactions described herein.

10. Defendants were, at all times relevant to this action, engaged in the business of soliciting, promoting, purchasing, selling, and collecting the proceeds of the sales of used motor vehicles to consumers.
11. Defendant KJNS held used motor vehicle dealer license number UD016680, issued under R.C. 4517.01 et seq., allowing it to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
12. On April 20, 2016, the Attorney General filed a lawsuit against Defendant Stauffer and Defendant KJNS alleging that they had violated the CSPA and Certificate of Motor Vehicle Title Act in connection with their sale of used motor vehicles. *See Wood County Court of Common Pleas, Case No. 2016-CV-0231.*
13. In that 2016 lawsuit, the parties settled the case when Stauffer and KJNS entered into a Consent Judgment and Agreed Entry and Order (“CJ”) with the Attorney General on August 24, 2016. KJNS and Stauffer agreed to be permanently enjoined from engaging in acts or practices that violate the CSPA or the Certificate of Motor Vehicle Title Act, and they paid back the \$14,939.44 they owed to the Title Defect Recision Fund (“TDRF”). Per the CJ, KJNS and Stauffer also agreed to pay a \$15,000 civil penalty, which was suspended “so long as Defendants are in compliance with all of the provisions of this entry and have made full and complete reimbursement to the TDRF...prior to the execution of this Consent Judgment.”
14. Defendants Stauffer and KJNS continued to engage in some of the practices they agreed to be enjoined from in the 2016 CJ.

15. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
16. At all relevant times hereto, Defendants displayed and sold used motor vehicles at the Prestige Family Cars dealership location.
17. Defendants failed to file applications for certificate of title within 30 days after the assignment or delivery of motor vehicles.
18. Defendants sold motor vehicles to consumers that did not have certificates of title issued in the name of the dealership at the time of sale.
19. Defendants failed to obtain certificates of title in the name of consumer purchasers on or before the 40th day after the sale of motor vehicles.
20. Plaintiff received complaints from consumer purchasers related to Defendants' failure to obtain a title in the name of consumer purchasers within 40 days of the date of the sale.
21. Plaintiff subsequently acted as the consumer purchasers' representative and provided notices of a request for rescission to the Defendants and gave the Defendants the opportunity to refund the full purchase price of the motor vehicles.
22. Defendants failed to refund the vehicles' purchase price in response to the Plaintiff's requests for rescission.
23. Defendants further failed to refund the vehicles' purchase price or otherwise reach a satisfactory compromise with retail purchasers within seven business days of the Attorney General's presentation of the retail purchasers' rescission claims.
24. Subsequently, the consumer purchasers applied to the Attorney General for payment from the TDR Fund for the full purchase price of the vehicles.
25. A total of \$7,068.25 in claims were paid from the TDR Fund administered by the Attorney

General's Office in connection with Defendants' sales of three different motor vehicles. One of the vehicles was surrendered to the State and sold at auction, which recovered \$185.00 for the Attorney General's TDR Fund in November 2024, leaving a balance of \$6,883.25 owed to the TDR Fund.

26. In the time after Plaintiff's Complaint was filed, the Attorney General's Office has received one valid payment from Defendant Stauffer, in the amount of towards the balance Defendants owed to the TDR Fund.
27. Defendants currently owe \$6,083.25 to the Attorney General's TDR Fund.
28. The Motor Vehicle Dealer's Board revoked Defendant KJNS's motor vehicle dealer license, effective April 2024.
29. The Defendants' car dealership, Prestige Family Cars, is no longer in business.

CONCLUSIONS OF LAW

30. 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 of the CSPA, R.C 1345.01 et seq.
31. The actions of Defendants have occurred in the State of Ohio, including in Wood County and other counties and, as set forth below, are in violation of the CSPA, R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
32. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
33. Venue in this Court is proper, pursuant Ohio Civ.R. 3(C)(1)-(C)(3) because Wood County is where Defendant Stauffer resides, where Defendants' principal place of business was located, and where Defendants conducted activities that gave rise to Plaintiff's claim for

relief.

34. 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 offering for sale and selling 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).
35. Defendants committed deceptive acts and practices in violation of R.C. 1345.02 of the CSPA, by operation of R.C. 4505.181(H) of the Certificate of Motor Vehicle Title Act, by selling motor vehicles to consumers in the ordinary course of business, failing to obtain a title in the name of the retail purchaser, receiving a notice of request for rescission, and then failing to comply with their obligation to deliver a full refund of the purchase price of the motor vehicle in violation of divisions (B) and (C) of R.C. 4505.181.
36. The acts and practices in Paragraph 35 have been previously determined by an Ohio court to violate the CSPA. Defendants committed said violation after the decision was available for public inspection pursuant to R.C. 1345.05(A)(3).

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

- A. Defendants, doing business under their own names, or any other names, their agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert or participating with them, directly or indirectly, are **PERMANENTLY ENJOINED**, pursuant to R.C. 1345.07(A)(2), from engaging in the acts and practices described in this order and from further violating the CSPA, R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 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 the Certificate of Motor Vehicle Title Act, R.C. 4505.01, et seq., in the manner set forth herein.
- C. Based on the above findings that Defendants violated the CSPA and the Certificate of Motor Vehicle Title Act, Defendants are jointly and severally liable for and **ORDERED** to pay to the Consumer Protection Section of the Attorney General's Office \$6,083.25 as payment to the TDR Fund, established pursuant to R.C. 1345.52, for the amount spent to resolve consumers' title defects caused by Defendants' motor vehicle title violations.
- D. Based on the above findings that Defendants committed deceptive acts and practices in violation of the CSPA, pursuant to R.C. 1345.07(A) and (D), Defendants are jointly and severally liable for and **ORDERED** to pay a to civil penalty to the Ohio Attorney General's Office in the total amount of \$20,000.00, to be deposited into the Consumer Protection Enforcement Fund, with one-fourth of the amount to the Wood County Treasurer, per R.C. 1345.07(G). This civil penalty comprises both the \$15,000.00 civil penalty reinstated from the 2016 Consent Judgment and a \$5,000.00 civil penalty for the new violations set forth herein.
- E. The money due to the Ohio Attorney General's Office under paragraphs C and D 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 Broad St., 14th Floor
Columbus, Ohio 43215
- F. 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.

- G. Pursuant to R.C. 1345.07(B), which authorizes the Court to grant other appropriate relief, Defendants are **PERMANENTLY ENJOINED** from applying for or being granted any motor dealer license under Chapter 4517 of the Revised Code.
- H. Defendants are **ORDERED** to pay Plaintiff's collection costs and interest on the final judgment in this matter, as permitted by statute.
- I. Defendants are **ORDERED** to pay all court costs.

IT IS SO ORDERED.



Judge Mary "Molly" L. Mack

CERTIFICATE

Clerk to furnish copies of this entry to registered attorneys electronically with PDF attachment and via ordinary mail to all unregistered attorneys and unrepresented parties.

Submitted by:

DAVE YOST
Ohio Attorney General

/s/ Rebecca F. Schlag

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