

**IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO**

STATE OF OHIO, ex rel.	:	
OHIO ATTORNEY GENERAL	:	
MICHAEL DEWINE	:	<b>Case No.</b>
30 East Broad St., 14th Floor	:	
Columbus, Ohio 43215	:	

Plaintiff,	:	
v.	:	
	:	<b>Judge</b>

AMAZING AUTO SALES LLC	:	
3586 Westerville Rd.	:	
Columbus, Ohio 43224	:	
	:	<b><u>COMPLAINT FOR DECLARATORY</u></b>
	:	<b><u>JUDGMENT, INJUNCTIVE RELIEF,</u></b>
and	:	<b><u>CIVIL PENALTIES, CONSUMER</u></b>
	:	<b><u>DAMAGES, AND OTHER</u></b>
	:	<b><u>APPROPRIATE RELIEF</u></b>

PATRICK FRANKLIN, Individually	:	
and dba AMAZING AUTO SALES LLC	:	
690 Northview Ave.	:	
Columbus, Ohio 43219	:	

and	:	
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CHARLES R. WHITE, Individually	:	
and dba AMAZING AUTO SALES LLC	:	
3065 Prosperity Lane	:	
Columbus, Ohio 43231	:	

and	:	
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LAURA LASSITER, Individually	:	
and dba AMAZING AUTO SALES LLC	:	
5189 Windorf Drive	:	
Westerville, Ohio 43081	:	

Defendants.	:	
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**JURISDICTION**

1. Plaintiff, State of Ohio, through counsel, Attorney General Michael DeWine, 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 the Attorney General by R.C. 1345.07.
2. The actions of Defendants have occurred in the State of Ohio, including in Franklin County and, as set forth below, are in violation of the Consumer Sales Practices Act, R.C. 1345.01 et seq. ("CSPA"), and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
3. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(B)(1)-(3), in that Defendants reside in, operated their business from, and engaged in the transactions complained of herein in Franklin County.

**DEFENDANTS**

5. Defendant Amazing Auto Sales LLC ("Amazing Auto") is an Ohio limited liability company based in Franklin County.
6. The principal place of business for Amazing Auto was 3586 Westerville Road, Columbus, Ohio 45102.
7. Defendant Patrick Franklin ("Franklin") is a natural person residing at 690 Northview Avenue, Columbus, Ohio 43219.
8. Upon information and belief, Defendant Franklin did business as Amazing Auto and caused, personally participated in, or ratified the acts and practices of Amazing Auto, as described in this Complaint.

9. Defendant Charles R. White (“White”) is a natural person residing at 3065 Prosperity Lane, Columbus, Ohio 43231.
10. Upon information and belief, Defendant White did business as Amazing Auto and caused, personally participated in, or ratified the acts and practices of Amazing Auto, as described in this Complaint.
11. Defendant Laura Lassiter (“Lassiter”) is a natural person residing at 5189 Windorf Drive, Westerville, Ohio 43081.
12. Upon information and belief, Defendant Lassiter did business as Amazing Auto and caused, personally participated in, or ratified the acts and practices of Amazing Auto, as described in this Complaint.
13. Defendants Amazing Auto, Patrick, White, and Lassiter (collectively “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 from their location in Columbus, Ohio to consumers residing in Franklin and other Ohio counties.
14. 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).

**STATEMENT OF FACTS**

15. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.

16. Defendants are known to have operated using the fictitious business name Amazing Auto Sales & Service.
17. Defendant Amazing Auto held used motor vehicle dealer license number UD017951 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. That dealer license has since been cancelled.
18. At all times relevant to this action, Defendants displayed and sold used motor vehicles at the Amazing Auto location at 3586 Westerville Road, Columbus, Ohio 43224.
19. Defendants failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles.
20. Defendants failed to obtain certificates of title in the name of consumer purchasers on or before the Fortieth (40th) day after the sale of motor vehicles.
21. To date, Title Defect Recision consumer claims totaling \$14,135.00 have been paid from the Title Defect Recision Fund, administered by the Ohio Attorney General's Office, after Defendants failed to obtain certificates of title in the name of consumer purchasers on or before the Fortieth (40th) day after the sale of the motor vehicles.

### **CAUSE OF ACTION**

#### **Violations of the Certificate of Motor Vehicle Title Act**

22. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Twenty One (1-21) of this Complaint.
23. Defendants engaged in unfair or deceptive acts or practices in violation of R.C. 1345.02 of the CSPA 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) of the Certificate of Motor Vehicle Title Act.

24. Defendants engaged in unfair or deceptive acts or practices in violation of R.C. 1345.02 of the CSPA by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title in the name of consumer purchasers on or before the Fortieth (40th) day following the date of the sale of the motor vehicles as required by R.C. 4505.181(B)(1) of the Certificate of Motor Vehicle Title Act.
25. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. ISSUE A PERMANENT INJUNCTION, pursuant to R.C. 1345.07(A)(2), enjoining Defendants, doing business under their own names, the name Amazing Auto Sales & Service, 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, from committing any unfair, deceptive, or unconscionable acts or practices that violate the CSPA or the Certificate of Motor Vehicle Title Act including, but not limited to, violating the specific statutes and rules alleged to have been violated herein.
- B. ISSUE A DECLARATORY JUDGMENT, pursuant to R.C. 1345.07(A)(1), declaring that each act or practice complained of herein violates the CSPA and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq., in the manner set forth in this Complaint.
- C. ORDER Defendants, pursuant to R.C. 1345.07(B), to pay damages to all consumers injured by Defendants' unfair or deceptive acts or practices and motor vehicle title violations.

- D. ORDER Defendants jointly and severally liable for reimbursement to the Title Defect Recision Fund for funds expended to resolve title defects caused by Defendants' motor vehicle title violations.
- E. ASSESS, FINE, AND IMPOSE upon Defendants, jointly and severally, a civil penalty of \$25,000.00 for each separate and appropriate violation described herein, pursuant to R.C. 1345.07(D).
- F. ISSUE A PERMANENT INJUNCTION prohibiting Defendants Franklin, White, and Lassiter from applying for or being granted any auto dealer or salesperson license under Chapter 4517 of the Revised Code.
- G. ISSUE AN INJUNCTION prohibiting Defendants 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 or any other Ohio Court, in connection with a consumer transaction.
- H. GRANT Plaintiff its costs in bringing this action.
- I. ORDER Defendants to pay all court costs.
- J. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

MICHAEL DEWINE  
Ohio Attorney General

/s/ Tracy Morrison Dickens  
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