

FILED
 LUCAS COUNTY
 2011 FEB -7 AM 10:04
 COMMON PLEAS COURT
 RENNIE QUILTER
 CLERK OF COURTS

IN THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO

State of Ohio, ex rel.)
 Ohio Attorney General Michael DeWine)
 30 E. Broad Street, 14th Floor)
 Columbus, Ohio 43215)
)
 Plaintiff,)
)
 v.)
)
 Monroe Dodge-Chrysler, Inc., d/b/a)
 Monroe Dodge Chrysler Jeep Superstore)
 15160 S. Monroe Street)
 Monroe, Michigan 48161)
)
 Defendant.)

Case No. CI0201401390
 Judge Duhart

**COMPLAINT FOR DECLARATORY
 JUDGMENT, INJUNCTIVE RELIEF,
 RESTITUTION, AND
 CIVIL PENALTIES**

JURISDICTION

1. Plaintiff, State of Ohio, by and through Counsel, the Attorney General of Ohio, 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 him by the Ohio Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq.
2. The actions of Defendant, hereinafter described, have occurred in the State of Ohio and Lucas County and various other counties and, as set forth below, are in violation of the CSPA, R.C. 1345.01 et seq. and the Ohio Administrative Code ("O.A.C."), 109:4-3-01 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)(3), in that some of the transactions complained of herein, and out of which this action arose, occurred in Lucas County.

DEFENDANT

5. Defendant Monroe Dodge-Chrysler, Inc., doing business as the Monroe Dodge Chrysler Jeep Superstore, is a Michigan corporation with its principal place of business located at 15160 S. Monroe St., Monroe, Michigan 48161.
6. Defendant is a licensed vehicle dealer for new and used vehicles in the State of Michigan, License No. A004731.
7. Defendant is a "supplier" as that term is defined in R.C. 1345.01(C) since Defendant is, or at all times relevant was, engaged in the business of effecting consumer transactions by advertising, offering for sale, and selling motor vehicles to individuals in Lucas County and other counties in the State of Ohio for purposes that were primarily for personal, family or household use, within the meaning specified in R.C. 1345.01(A) and (D).

STATEMENT OF FACTS

8. Defendant is, and has been at all times relevant to this action, engaged in the business of advertising and offering motor vehicles for sale in the State of Ohio, including in Lucas County, through the use of print media.
9. Defendant solicited individual consumers to enter into consumer transactions, specifically for the purchase of motor vehicles.

10. Defendant placed advertisements for its vehicles in the newspaper The Toledo Blade, which is circulated in Lucas County and other counties in Ohio. (See Exhibits A, B, and C. These exhibits are copies of advertisements and have been reduced in size in order to fit the page.)
11. Defendant advertised its vehicles on its website, www.monroesuperstore.com and the Toledo Blade's website, www.toledoblade.com, where such advertisements were viewed by Ohio residents. (See Exhibits D and E. These exhibits are PDF images of the web pages.)
12. Defendant advertised vehicles for sale and failed to disclose all required terms, including the fact that the transaction was a lease, the amount due at lease inception, and the number of payments required.
13. Defendant advertised motor vehicles for sale at specific prices that not all consumers qualified for, including employee and family pricing and limited rebates for lease loyalty. Defendants failed to disclose the price that all consumers would qualify for in an equally clear and conspicuous manner.
14. Defendant advertised motor vehicles without clearly and conspicuously disclosing in close proximity to the offer any material exclusions, reservations, limitations, modifications, or conditions to the advertised offer. Specifically, the Defendant failed to clearly and conspicuously disclose residency restrictions and made additional statements of exclusions, reservations, limitations, modifications, or conditions to its offers which appear in small-print footnotes to its advertisements.

PLAINTIFF'S CAUSES OF ACTION

COUNT I **ADVERTISEMENT AND SALE OF MOTOR VEHICLES RULE**

15. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Fourteen (1 – 14) of this Complaint.

16. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Advertisement and Sale of Motor Vehicles Rule, O.A.C. 109:4-3-16(B)(21), by advertising a price which included a deduction for a discount or rebate for which not all consumers would qualify.

COUNT II
ADVERTISEMENT AND SALE OF MOTOR VEHICLES RULE

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Fourteen (1 – 14) of this Complaint.

18. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Advertisement and Sale of Motor Vehicles Rule, O.A.C. 109:4-3-16(D)(2), by advertising motor vehicles for sale and failing to clearly and conspicuously disclose all required terms, including the fact that the transaction was a lease, the amount due at lease inception, and the number of payments.

COUNT III
EXCLUSIONS AND LIMITATIONS IN ADVERTISING RULE

19. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Fourteen (1 – 14) of this Complaint.

20. Defendant committed deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Exclusions and Limitations in Advertisements Rule, O.A.C. 109:4-3-02(A)(1), by failing to clearly and conspicuously disclose in close proximity to the offer any material exclusions, reservations, limitations, modifications, or conditions.

PRAYER FOR RELIEF

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

1. ISSUE A DECLARATORY JUDGMENT declaring that each act or practice complained of herein violates the CSPA and the O.A.C. in the manner set forth in this Complaint.
2. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendant Monroe-Dodge Chrysler, Inc., doing business as the Monroe Dodge Chrysler Jeep Superstore, its agents, representatives, salespeople, employees, successors and assigns, and all persons acting in concert or participating with it, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 et seq.
3. ORDER Defendant liable for reimbursement to all consumers found to have been damaged by the Defendant's unfair and deceptive acts and practices.
4. ASSESS, FINE, and IMPOSE upon Defendant a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each violation described herein, pursuant to R.C. 1345.07(D).
5. GRANT Plaintiff its costs in bringing this action.
6. ORDER Defendant to pay all court costs.
7. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully Submitted,

MICHAEL DEWINE
Ohio Attorney General



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Associate Assistant Attorney General
Consumer Protection Section
One Government Center, Suite 1340
Toledo, Ohio 43604
P: 419.245.2550
F: 877.588.5480
megan.mculty@ohioattorneygeneral.gov
Counsel for Plaintiff

47th Anniversary Sale! *Going On Now!*

2013 Ram OPEN TUESDAY 8AM TO 8PM **88 MO**

1500 Crew Express 4x4 **24 MO**



Ram Equipment: 5.7L V8 Hemi, Automatic, 4x4, Power Windows, 3.1 Locks, Cruise Control, Tire Monitoring, Electronic Vehicle Info Center, Power Heated Mirrors, 20" Aluminum Wheels, Fog Lamps, 3.15:1 Axle Ratio, 170 MPH, 190/20/40 Shals

MSRP \$37,385



Financing Chrysler Financial Services. 48% down with a competitive rate. Everyone else, \$2888. Plus tax, tags, title and doc fees. 10,000 miles per year. See dealer for details. Not responsible for printing orographical errors. Offer ends 3/31/13.

NEW! '13 Dodge Dart **88** *mpg*

NEW! '13 Dodge Charger RT **88** *mpg*

NEW! '13 Chrysler 200 **118** *mpg*

NEW! '13 Chrysler 300 S **128** *mpg*

NEW! '13 Chrysler T & C **160** *mpg*

NEW! '14 Jeep Grand Cherokee **208** *mpg*

NEW! '09 Jeep Liberty Sport **14,800**

NEW! '11 Jeep Grand Cherokee **\$26,800**

NEW! '10 Chrysler Sebring **\$12,800**

"Feel drive any of our 18 All-New, World-Class models or Chrysler Certified Pre-owned vehicles and we will give you a gift card valued up to \$471. Also, take 47% off all Mopar, Jeep or Monroe Dodge Wearables and 10% off all Mopar Accessories! *AT**

*Most priced from \$1,000 to \$2,000 or more.

'11 Ram 1500 Own It Now! **\$25,800**
33,392 Miles. #U5E6839A

'09 Chrysler 300 Own It Now! **\$16,800**
52,418 Miles. #U519880A

'10 Chrysler T&C Touring Own It Now! **\$17,800**
47,880 Miles. #U421891A

WE'LL BEAT ANY CARPARK

WE'LL BEAT ANY MAKE'S MONROE WEARABLES

WE'LL BEAT ANY MAKE'S MONROE ACCESSORIES

CARPARK

Chrysler Financial Services. 48% down with a competitive rate. Everyone else, \$2888. Plus tax, tags, title and doc fees. 10,000 miles per year. See dealer for details. Not responsible for printing orographical errors. Offer ends 3/31/13.

Monroe SUPERSTORE

15160 S. Monroe St. • Monroe, MI
877-272-3217

MON 9-9 • TUES 9-6 • WEDS 9-6
THURS 9-9 • FRI 9-6 • SAT 9-4

Jeep **RAM** **DODGE**

15160 S. Monroe St. • Monroe, MI
877-272-3217

MON 9-9 • TUES 9-6 • WEDS 9-6
THURS 9-9 • FRI 9-6 • SAT 9-4

PENGAD 800-631-6889

STATE'S EXHIBIT

B

Telco Blade 5-30-13

Jeep

CELEBRATION EVENT

COME EXPERIENCE OUR ALL NEW JEEPS



MOST FUEL EFFICIENT JEEPS EVER BUILT

UP TO 31 MPG

730 MILES PER TANK OF FUEL!



MADE IN TOLEDO

ALL NEW JEEP GRAND CHEROKEE DIESEL

ALL NEW 2014 JEEP CHEROKEE

NEW '14 Chrysler Town & Country Touring

219mo

Leather, DVD, Power doors

NEW '13 Dodge Durango SXT AWD

248mo

NEW '14 Jeep Grand Cherokee Laredo 4x4

238mo

NEW '13 Dodge Charger R/T Hemi

199mo

V8



These Leases are for Everyone!

NEW '14 Ram 1500

Crew Cab Express 4x4

188mo

NEW '13 Dodge Journey SXT

188mo

NEW '13 Chrysler 200 LTD V6

168mo

Leather

NEW '14 Jeep Patriot Latitude

148mo



2014 Chrysler Town & Country Touring MSRP \$31,600. 2013 Dodge Durango SXT MSRP \$32,600. 2014 Jeep Grand Cherokee Laredo MSRP \$33,965. 2013 Dodge Charger R/T MSRP \$30,990. 2014 Ram 1500 Crew Cab Express MSRP \$34,035. 2013 Dodge Journey SXT MSRP \$24,500. 2013 Chrysler 200 LTD MSRP \$24,950. 2014 Jeep Patriot Latitude MSRP \$22,715. In stock price only. Excludes all taxes. Returning Chrysler Employee Leases and All eligible family. \$999 down. Excludes state. Plus tax, title and fees. Residency restrictions apply. 20,000 miles per year. 25¢ per mile thereafter. With approved "C" for credit. Offers end 10/31/2013.

2013 Ram Sell-a-thon

SAVINGS UP TO \$12,235

Chrysler Employee Discount: \$,999; Member Dodge Discount: \$500; Consumer Cash: \$,750; Employee Bonus: \$,000; Trade Allowance: \$,000

Two of the Coolest Cars in America!



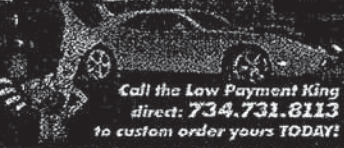
ZERO DOWN!
OWN FOR ONLY \$199/mo or \$1,184



Save up to \$7,335



SUPERBIRD CHALLENGER



Call the Low Payment King direct: 734.731.8113 to custom order yours TODAY!



Pink My Ride is back \$98
PINK YOUR RIDE for just \$98 and you get Pink Stripe Graphics installed, a Cool pink swag bag, and a portion of the proceeds benefit the Monroe Cancer Institute and Karmanos Cancer Institute!

October is "Breast Cancer Awareness" Month!

NEW 2013 DODGE AVENGER



NEW 2013 DODGE JOURNEY



2013 DODGE GRAND CARAVAN



NEW 2013 RAM 1500 QUAD CAB



EVERYONE SAVES \$5,000

STATE'S EXHIBIT
C.(p.1)
PENCAD 800-631-6688

Town & Country
Touring
219mo
Leather, DVD, Power doors



Durango
SXT AWD
248mo



Grand Cherokee
Laredo 4x4
238mo



Charger
R/T Hemi
199mo
V8



These Leases are for Everyone!

NEW '14 Ram
1500
Crew Cab Express 4x4
188mo



NEW '13 Dodge
Journey
SXT
188mo



NEW '13 Chrysler
200
LTD V6
168mo
Leather



NEW '14 Jeep
Patriot
Latitude
148mo



2014 Chrysler Town & Country Touring MSRP \$31,890 39mo. 2013 Dodge Journey SXT MSRP \$22,890 39mo. 2014 Jeep Grand Cherokee Laredo MSRP \$33,535 39mo. 2013 Dodge Charger R/T MSRP \$30,590 39mo. 2014 Ram 1500 Crew Cab Express MSRP \$38,035 37mo. 2013 Dodge Journey SXT MSRP \$24,030 39mo. 2013 Chrysler 200 LTD MSRP \$28,220 39mo. 2014 Jeep Patriot Latitude MSRP \$22,715 39mo. In stock units only. Includes all taxes. Returning Chrysler Employee Leases and all eligible family: \$393 down. Everyone else: \$599 down. Plus tax, title and fees. Residency Restrictions apply: 10,000 miles per year. 25¢ per mile guaranteed. With approved "A" Tier credit. Offer ends 10/31/2013.

2013 Ram Sell-a-thon
SAVINGS UP TO
\$12,235

Chrysler Employee Discount: \$1,000. Member Dodge Discount: \$500. Customer Credit: \$1,735. Employee Bonus: \$1,000. Trade Acquisition: \$1,000.

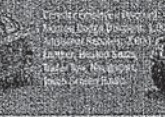
Two of the Coolest Cars in America!

NEW '14 Jeep Patriot Sport
ZERO DOWN!
OWN FOR ONLY **199**



Save up to
\$7,335

2013 Dodge Dart
Own for only **199**



NEW '13 Jeep Grand Cherokee 4x4
Own for only **199**



SUPERBIRD CHALLENGER

Call the Low Payment King
direct: **734.731.8113**
to custom order yours TODAY!



Pink My Ride is back!
\$98

PINK YOUR RIDE for just \$98 and you get Pink Stripe Graphics installed, a Cool pink bag, and a portion of the proceeds benefit the Monroe Cancer Institute and Karmanos Cancer Institute.

October is "Breast Cancer Awareness" Month!

NEW 2013 DODGE AVENGER
RETURNING CHRYSLER EMPLOYEE LESSEES AND FAMILY OWN FOR **\$15,880**
EVERYONE OWN FOR **\$17,230**



NEW 2013 DODGE JOURNEY
RETURNING CHRYSLER EMPLOYEE LESSEES AND FAMILY OWN FOR **\$17,630**
EVERYONE OWN FOR **\$18,860**



2013 DODGE GRAND CARAVAN
EVERYONE OWN FOR **\$20,360**



NEW 2013 RAM 1500 QUAD CAB
EVERYONE SAVES UP TO **\$1,000**
EVERYONE OWN FOR **\$29,920**



NEW 2014 RAM 1500 PROMASTER CARGO VAN
RETURNING CHRYSLER EMPLOYEE LESSEES AND FAMILY OWN FOR **\$26,863**
EVERYONE OWN FOR **\$29,630**



NEW 2013 CHRYSLER 300 MOTOWN
RETURNING CHRYSLER EMPLOYEE LESSEES AND FAMILY OWN FOR **\$28,988**
EVERYONE OWN FOR **\$30,350**



NEW 2013 CHRYSLER TOWN & COUNTRY TOURING
RETURNING CHRYSLER EMPLOYEE LESSEES AND FAMILY OWN FOR **\$24,986**
EVERYONE OWN FOR **\$26,380**



NEW 2012 RAM 2500 4WD w/PLOW
EVERYONE OWN FOR **\$30,830**



www.monroedodge.com

Monroe SUPERSTORE

Jeep RAM

15160 S. Monroe St. (S. Dixie Hwy) • Monroe, MI • 1-877-272-3217

Quick Credit Approval Home of the 30 second Application

Mon & Thurs 9am-9pm, Tues, Wed & Fri 9am-6pm, Sat 9am-4pm

STATE'S EXHIBIT
C.(p.2)

PENGAD 800-631-6888



It's The Low Payment King's RAMS & JAMS Sales Event!!

Monroe County Jam
LOU GRAMM of
FOREIGNER
Aug. 24th!



www.MonroeCountyJam.com



Return of the RAMINATOR

Saturday, August 17th!
FREE Car Crush Show at 1 p.m.
FREE Jeep Off Road Course Rides All Day
Pig Roast with donations going to
Military Families of Monroe County
Autographs & Photographs
with **RAMINATOR** driver Mark Hall

\$999 DOWN PAYMENT MATCH

THE LOW PAYMENT KING WILL MATCH YOUR DOWN PAYMENT UP TO \$999 ON SELECT NEW IN-STOCK MODELS WHEN YOU FINANCE OR LEASE WITH THE LOW PAYMENT KING.



NEW!
'14 Jeep Patriot Latitude

99 /mo*

These Leases
are for
Everyone!



NEW!
'13 Chrysler 200

138 /mo*



NEW!
'13 Dodge Journey

138 /mo*

Employees &
Eligible Family
Members Save
Even More!



NEW!
'13 Chrysler T & C

188 /mo*



NEW!
'13 Dodge Charger RT

188 /mo*



NEW!
'13 Chrysler 300 S

238 /mo*



NEW!
'14 Jeep Grand Cherokee

238 /mo*



NEW!
'13 Dodge Durango

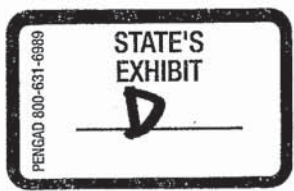
188 /mo*





SUMMER CLEARANCE EVENT *In stock units only. 24 month lease. Includes all rebates. Includes \$999 Down Payment and \$999 LPK match. 10,000 miles per year. 25 per mile thereafter. With approved A tier credit. State Fees additional. Residency restrictions apply. Jeep Patriot MSRP \$22,408, Chrysler 200 MSRP \$25,875, Dodge Charger MSRP \$30,990, Chrysler 300 MSRP \$36,830, Dodge Journey MSRP \$24,090, Chrysler Town & Country MSRP \$31,525, Jeep Grand Cherokee MSRP \$33,505, Dodge Durango MSRP \$32,860. Offer ends August 30, 2013. Not responsible for typographical errors.

www.monroedodge.com
Monroe SUPERSTORE



15160 S. Monroe St. • Monroe, MI
877-284-5107
MON 9-9 • TUES 9-6 • WEDS 9-6
THURS 9-9 • FRI 9-6 • SAT 9-4



| | | | |
|--|---|---|--|
|  <p>Get The Blade delivered to your home</p> <p>THE BLADE</p> <p>Learn More >></p> |  <p>Get an electronic edition on your computer</p> <p>eBLADE</p> <p>Learn More >></p> |  <p>Get Blade apps for your smartphone and iPad</p> <p>t</p> <p>Learn More >></p> | <p>NEW Jeeps Only \$199 mo \$0 Down Own or Lease</p>  <p>CLICK HERE</p> <p>Monroe SUPERSTORE</p> <p>Jeep RAM</p> |
|--|---|---|--|

| SECTIONS | MEDIA | REWARDS | ADVERTISING | SUBSCRIPTION | RELATED SITES | ABOUT | FOLLOW |
|-------------|----------------|--------------|-----------------------|-------------------|-------------------|-------------------|----------|
| News | Newspaper | Contests | Give us a Week | Subscribe | OurTownSylvania | Contact Us | Facebook |
| Sports | eBlade | Coupon Queen | Advertising in Toledo | Renew | Campus Connection | About Us | Twitter |
| A&E | iPad App | Weekly Ads | Credit Application | Manage | OurTownPerrysburg | Privacy Policy | RSS |
| Business | iPhone App | | Place an Ad | Pay your bill | NIE | About Our Ads | Gametrac |
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