

RECEIVED
PERRY COUNTY
IN THE COURT OF COMMON PLEAS
PERRY COUNTY, OHIO

16-CV-00195
MOTHY J. WOLLEBERG
CLERK OF COURTS

STATE OF OHIO ex rel.)
ATTORNEY GENERAL)
MICHAEL DEWINE)
)
)
)
)
)
Plaintiff,)
)
v.)
)
DAVID LEE MARSH, SR.)
Defendant.)

Case No:
JUDGE BOYER

TEMPORARY RESTRAINING ORDER

Upon Motion and affidavits submitted by the Plaintiff, and for good cause shown pursuant to R.C. 1345.07(A) and Civ. R. 65, Plaintiff's Motion for a Temporary Restraining Order is hereby GRANTED. The Temporary Restraining Order is granted based upon Plaintiff's evidence showing by a preponderance of the evidence that Defendant has violated the Consumer Sales Practices Act to wit: accepting money from consumers for the delivery and completion of mobile home moving goods and services and then failing to deliver the goods and/or services and failure to refund the down payments in violation of R.C. 1345.02(A) and Ohio Admin. Code 109:4-3-09; performing shoddy and unworkmanlike service, in violation of R.C. 1345.02(A) and (B); representing that repairs or services are necessary when they are not or representing that repairs or services have been performed when they have not in violation of R.C. 1345.02(A) and Ohio Admin. Code 109:4-3-05(D)(8) and (9); engaging in unconscionable acts and practices in violation of the CSPA, R.C. 1345.03(A), by making false or misleading statements of opinion on which consumers have relied on to their detriment and in violation of R.C. 1345.03(A) by

refusing to make a refund without justification. The Court issues this Order against Defendant to prevent further harm from occurring to consumers through Defendant's violations of the Consumer Sales Practices Act.

Therefore, Defendant, his agents, officers, employees, and anyone else acting in concert or participation with Defendant is hereby temporarily ENJOINED from: soliciting Ohio consumers either directly or indirectly for mobile home transport and repair services, engaging in consumer transactions, and from selling or transferring personal or business assets.

Pursuant to R.C. 1345.07, this Temporary Restraining Order is issued without bond being required from Plaintiff, State of Ohio, and shall continue in effect until the Preliminary Injunction Hearing or further Order of this Court.

SO ORDERED.

July 28, 2016
DATE

Jana M. Binger
JUDGE