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BARBARA A. WIEDENBEIN
CLERK OF COMMON PLEAS COURT
CLERMONT COUNTY, OH

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 Clermont

County and, as set forth below, are in violation of the Consumer Sales Practices Act (“CSPA”), R.C. 1345.01 et seq., 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 Clermont County is where Defendant Najeeb Daoud resides, where Defendants’ principal place of business is located, and where Defendants conducted some of the transactions complained of herein.
5. 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).

DEFENDANTS

6. Defendant Superior Auto Sports, LLC (“Superior Auto Sports”) is an Ohio limited liability corporation based in Clermont County.
7. The principal place of business for Superior Auto Sports was initially located at 1289 West Ohio Pike, Amelia, Ohio 45102 during the time relevant to the transactions described in this Complaint.
8. Upon information and belief, Superior Auto Sports is currently conducting its business and selling used motor vehicle from a location at 1145 West Ohio Pike, Amelia, Ohio 45102.

9. Defendant Najeeb Daoud is a natural person whose residence is located at 761 Dorgene Lane, Cincinnati, Ohio, in Clermont County.
10. Defendant Daoud owns and operates Superior Auto Sports.
11. Defendant Daoud does business as Superior Auto Sports.
12. Upon information and belief, Defendant Daoud dominated, controlled, directed, and approved the business activities and sales conduct of Superior Auto Sports at the time of the violations set forth in this Complaint and caused, personally participated in, or ratified the acts and practices of Superior Auto Sports, as described in this Complaint.
13. 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 from their location in Amelia, Ohio.

STATEMENT OF FACTS

14. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
15. At all relevant times hereto, Defendant Superior Auto Sports held used motor vehicle license #UD020997, 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.
16. At all relevant times hereto, Defendants have displayed and sold used motor vehicles at the Superior Auto Sports locations.
17. Defendants failed to file applications for certificate of title within Thirty (30) days after the assignment or delivery of motor vehicles.
18. 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.

19. To date, Title Defect Recision consumer claims totaling \$5,407.44 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.
20. After claims were paid from the Title Defect Recision Fund, the Defendants continued to offer for sale or sell used motor vehicles they did not hold certificates of title to, without first posting a \$25,000 bond with the Attorney General, as required by R. C. 4505.181(A)(2).

CAUSE OF ACTION

VIOLATIONS OF THE CSPA

21. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Twenty (1-20) of this Complaint.
22. 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.
23. 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.
24. Defendants committed unfair or deceptive acts or practices in violation of R.C. 1345.02 of the CSPA by continuing to offer for sale or sell used motor vehicles they did not hold

certificates of title to after claims were paid from the Title Defect Recision Fund, without first posting a \$25,000 bond with the Attorney General, as required by R.C. 4505.181(A)(2).

25. Such acts or practices have been previously determined by Ohio courts to violate the CSPA. 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 or any other names, their agents, representatives, salesmen, 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 provisions alleged to have been violated herein.
- B. DECLARE 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 to pay damages to all consumers injured by Defendants' unfair or deceptive acts or practices and Defendants' 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 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, and any other court in Ohio, in connection with a consumer transaction.
- G. GRANT Plaintiff its costs in bringing this action.
- H. ORDER Defendants to pay all court costs.
- I. 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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