

IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO

STATE OF OHIO ex rel.)
OHIO ATTORNEY GENERAL)
DAVE YOST)
30 E. Broad Street, 14th Floor)
Columbus, Ohio 43215)

Plaintiff,)

v.)

SAM LORENZ)
DBA TOP TECH ELECTRONICS,)
AND DBA L&L TECH SOLUTIONS)
4607 7th St. NW)
Canton, Ohio 44708)

Defendant)

CASE NO. 2021CV00196

JUDGE **Forchione**

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

JURISDICTION AND VENUE

1. Plaintiff, State of Ohio, by and through its counsel, the Attorney General of Ohio, Dave Yost, 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 R.C. 1345.01 *et seq.*
2. The actions of Sam Lorenz ("Defendant"), hereinafter described, have occurred in the State of Ohio, including in Stark County and, as set forth below, are in violation of the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 *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(C)(1) in that Defendant resides in Stark County.

DEFENDANT BACKGROUND

5. Defendant Sam Lorenz is a natural person residing at 4607 7th St. NW Canton, Ohio 44708.
6. Defendant at all times relevant to this action was engaged in the business of soliciting, offering for sale, or selling computers and related goods to consumers in the State of Ohio.
7. Defendant is a “supplier” as that term is defined in R.C. 1345.01(C) of the CSPA because Defendant has engaged in the business of effecting “consumer transactions” either directly or indirectly by soliciting and selling computers and related goods to individuals in Ohio for purposes that were primarily for personal, family, or household use, within the meaning of R.C. 1345.01(A).

STATEMENT OF FACTS

8. Defendant engaged in the business of soliciting and selling computers and related goods via his websites, TopTechWholesale.com and LLTechSolutions.com.
9. Defendant solicited consumers directly on online social media networks such as Facebook.
10. Defendant promised consumers that he would ship computers and related goods to consumers in exchange for payment.
11. Defendant requested and received monetary payments from consumers via online payment processors such as Stripe and Paypal.
12. After accepting money from consumers for computers and related goods, Defendant failed to deliver the goods that were promised to consumers.

13. Some consumers who did not receive their purchased goods requested refunds from Defendant.
14. Defendant failed to provide requested refunds to consumers for whom he did not deliver the promised goods.
15. When consumers contacted Defendant about the status of their orders, Defendant misrepresented that consumers would eventually receive the goods.
16. Defendant continues to operate another business under a different business name known as Legacy Media Solutions.

CAUSE OF ACTION: VIOLATION OF THE CSPA

Count I – Failure to Deliver

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs 1–16 of this Complaint.
18. Defendant committed unfair or deceptive acts or practices in violation of the Failure to Deliver Rule, O.A.C. 109:4-3-09(A) and the CSPA, R.C. 1345.02(A), by accepting money from consumers for goods and then permitting eight weeks to elapse without making shipment or delivery of the goods ordered, making a full refund, advising the consumers of the duration of an extended delay and then offering to send a refund within two weeks if so requested, or furnishing similar goods of equal or greater value as a good faith substitute.

Count II – Unfair and Deceptive Consumer Sales Practices

19. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs 1–18 of this Complaint.

20. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A) by misrepresenting the status of consumers' orders and refunds.
21. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by providing consumers with inadequate and unfair customer service.
22. The acts or practices described above have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendant committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

PRAYER FOR RELIEF

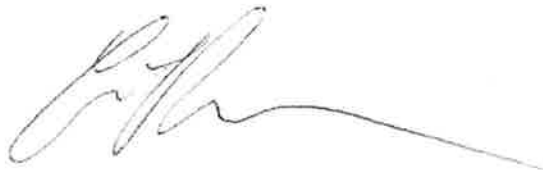
WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. **ISSUE A DECLARATORY JUDGMENT** that each act or practice contained of herein violates the CSPA and its Substantive Rules in the manner set forth in the Complaint.
- B. **ISSUE A PERMANENT INJUNCTION**, pursuant to R.C. 1345.07(A)(2), enjoining Defendant, his agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert or participating with him, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains and from further violating the CSPA or its Substantive Rules, O.A.C. 109:4-3-01 *et seq.*, including, but not limited to, violating the specific statutes and rules alleged to have been violated herein.
- C. **ORDER** Defendant, pursuant to R.C. 1345.07(B), to pay consumer restitution to all consumers injured by the conduct of Defendant.
- D. **ASSESS, FINE, AND IMPOSE** upon Defendant a civil penalty of up to \$25,000 for each separate and appropriate violation described herein pursuant to R.C. 1345.07(D).

- E. **ISSUE AN INJUNCTION** prohibiting Defendant from engaging in business as a Supplier in any consumer transaction in the State of Ohio until such time as he has satisfied all monetary obligations ordered pursuant to this litigation.
- F. **GRANT** Plaintiff its costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded.
- G. **ORDER** Defendant to pay all court costs associated with this matter.
- H. **GRANT** such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

DAVE YOST
Ohio Attorney General



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