

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

STATE OF OHIO ex rel.  
ATTORNEY GENERAL  
DAVE YOST  
30 East Broad St., 14th Floor  
Columbus, Ohio 43215

Plaintiff,

V.

GOOD TO GO AUTO SALES LLC  
d/b/a GOOD2GO AUTO SALES LLC  
2569 Morse Road  
Columbus, Ohio 43231

and

**BRIAN E. FELIX**  
Individually and d/b/a  
**GOOD2GO AUTO SALES LLC**  
8392 Seattle Avenue, Unit #2049  
Columbus, Ohio 43240

Defendants.

• • • • •

Case No.

## Judge

**COMPLAINT AND REQUEST  
FOR DECLARATORY JUDGMENT,  
INJUNCTIVE RELIEF, CIVIL  
PENALTIES, CONSUMER DAMAGES,  
AND OTHER APPROPRIATE RELIEF**

## JURISDICTION

1. Plaintiff, State of Ohio, through counsel Attorney General 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 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 (“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(C)(1)-(3), in that Franklin County is where Defendant Brian E. Felix 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 Good To Go Auto Sales LLC is an Ohio limited liability corporation.
7. Defendant Good To Go Auto Sales LLC does business using the name Good2Go Auto Sales LLC ("Good2Go").
8. Defendant Brian E. Felix ("Felix") is a natural person who resides at 8392 Seattle Avenue, Unit #2049, Columbus, Ohio 43240.
9. Defendant Felix also is known to go by the name "Teddy."
10. Defendant Felix does business using the name Good2Go.
11. Defendant Felix owns and operates the Good2Go car dealership.
12. The principal place of business of Good2Go was previously located at 3553 Refugee Road, Columbus, Ohio 43232 during the time relevant to the transactions described in this Complaint.

13. Upon information and belief, the principal place of business of Good2Go is now located at 2569 Morse Road, Columbus, Ohio.
14. Defendant Felix dominated, controlled, directed, and approved the business activities and sales conduct of Defendant Good To Go Auto Sales LLC at the time of the violations set forth in this Complaint and caused, personally participated in, or ratified the acts and practices of Good To Go Auto Sales LLC, as described in this Complaint.
15. 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.

#### **STATEMENT OF FACTS**

16. Defendant Felix, using the name Good2Go, holds used motor vehicle license #UD021931, issued under R.C. 4517.01 et seq., allowing Good2Go to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
17. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
18. At all relevant times hereto, Defendants have displayed and sold used motor vehicles at the Good2Go locations.
19. Defendants failed to file applications for certificate of title within 30 days after the assignment or delivery of motor vehicles.
20. Defendants sold motor vehicles to consumers that did not have certificates of title issued in the name of the dealership at the time of sale.
21. 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.

22. To date, Title Defect Recision consumer claims totaling \$2,100.36 have been paid from the Title Defect Recision Fund administered by the 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.
23. Upon information and belief, after claims were paid from the Title Defect Recision Fund, 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 Certificate of Motor Vehicle Title Act & the CSPA**

24. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Twenty-three (1-23) of this Complaint.
25. 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 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.
26. Defendants engaged in unfair or deceptive acts or practices in violation of R.C. 1345.02 of the CSPA by, in the ordinary course of business, selling to consumers motor vehicles that did not have certificates of title issued in the name of the dealership at the time of sale and then failing to obtain certificates of title in the name of the 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.
27. Defendants engaged in 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 a claim was 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) of the Certificate of Motor Vehicle Title Act.

28. 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, the name Good2Go, 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, R.C. 1345.01 et seq, or the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq., including, but not limited to, violating the specific provisions alleged to have been violated herein.
- B. DECLARE, pursuant to R.C. 1345.07(A)(1), that each act or practice complained of herein violates the CSPA, R.C. 1345.01 et seq., 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 the conduct of Defendants.

- D. ORDER Defendants jointly and severally liable for reimbursement to the Attorney General's 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 a civil penalty of \$25,000 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 including, but not limited to, the costs of collecting on any judgment awarded.
- 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,

DAVE YOST  
Ohio Attorney General

/s/ Tracy Morrison Dickens  
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