



**AFTAB PUREVAL
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COMMON PLEAS DIVISION

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AFTAB PUREVAL
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 1056995**

OHIO ATTORNEY GENERAL

A 2101329

vs.

CONQUER AUTO LLC

**FILING TYPE: INITIAL FILING (OUT OF COUNTY) WITH NO JURY
DEMAND**

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VERIFY RECORD

IN THE COURT OF COMMON PLEAS HAMILTON COUNTY, OHIO

STATE OF OHIO, ex rel.	)	CASE NO.
ATTORNEY GENERAL	)	
DAVE YOST	)	
30 East Broad St., 14th Floor	)	JUDGE
Columbus, Ohio 43215	)	
	)	
Plaintiff,	)	<u>COMPLAINT FOR</u>
	)	<u>DECLARATORY JUDGMENT,</u>
v.	)	<u>INJUNCTIVE RELIEF,</u>
	)	<u>RESTITUTION, CIVIL</u>
CONQUER AUTO LLC	)	<u>PENALTIES, AND OTHER</u>
c/o BIHUTE AMISSI	)	<u>APPROPRIATE RELIEF</u>
Statutory Agent	)	
2419 Montana Ave., Apt. A-7	)	
Cincinnati, Ohio 45211	)	
	)	
and	)	
	)	
BIHUTE AMISSI, Individually	)	
2419 Montana Ave., Apt. A-7	)	
Cincinnati, Ohio 45211	)	
	)	
Defendants.	)	

JURISDICTION

1. Plaintiff, State of Ohio, by and through 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 the Ohio 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.*
2. The actions of Defendants Conquer Auto LLC ("Conquer") and defunct owner Bihute Amissi ("Amissi") (collectively "Defendants"), hereinafter described, have occurred in the State of Ohio, Hamilton County and other counties, and, as set forth below, are in violation of the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C.

4505.01 *et seq.*

3. Defendants, as described below, are each a “supplier” 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” as that term is defined in R.C. 1345.01(A).
4. Defendants, as described below, engaged in “consumer transactions” by offering for sale, selling or financing the purchase of used motor vehicles to individuals for purposes that were primarily personal, family or household within the meaning specified in R.C. 1345.01(A).
5. The actions of Defendants, hereinafter described, have occurred in the State of Ohio and Hamilton County.
6. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
7. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(1)-(3), in that Defendants operated their business from, reside in, and engaged in some of the transactions complained of herein in Hamilton County, Ohio.

STATEMENT OF FACTS

8. Defendant Conquer is a domestic limited liability company conducting business in Hamilton County and other counties in the State of Ohio with its principal place of business last located at 2350 Reading Rd., Cincinnati, Ohio 45202.
9. Defendant Conquer at all relevant times was a licensed used motor vehicle dealer, operating under a permit issued by the Ohio Bureau of Motor Vehicles, permit number

UD021374. The permit is currently inactive but was active during the allegations contained in the Complaint.

10. On information and belief, Defendant Amissi is an individual whose address is 2419 Montana Ave., Apt. A-7 Cincinnati, Ohio 45211, Hamilton County.
11. On information and belief, Defendant Amissi is the principal owner of Conquer and dominated, controlled and directed the business activities and sales conduct of Conquer, exercised the authority to establish, implement or alter the policies of Conquer, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.
12. Defendants were at all times relevant to this action engaged in the business of soliciting, promoting, purchasing, selling, financing and collecting the proceeds of the sales of used motor vehicles to consumers residing in Hamilton and other Ohio counties.
13. Defendants, operating under the name Conquer Auto LLC, solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
14. The Defendants failed to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles.
15. The Defendants failed to obtain certificates of title on or before the fortieth day after the sale of motor vehicles.
16. As a result of the Defendants' conduct, retail purchasers were unable to obtain certificates of title to their used motor vehicles, and filed claims with the Ohio Attorney General pursuant to Ohio's Title Defect Recision (TDR) statute, R. C. 4505.181.
17. TDR claims thus far totaled Twelve Thousand Four Hundred Sixteen Dollars and Sixty-

Two Cents (\$12,416.62) and were paid from the TDR Fund, administered by the Ohio Attorney General's Office, after the Defendants failed to obtain certificates of title on or before the fortieth day after the sale of the motor vehicles to the retail purchasers.

18. After payments were made from the TDR Fund, the Defendants failed to maintain a surety bond in an amount not less than \$25,000.00 after the Attorney General had paid a retail purchaser of the dealer from the TDR Fund.

VIOLATIONS OF THE CONSUMER SALES PRACTICES ACT

19. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Eighteen (1-18) of this Complaint.
20. The Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A) by failing to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles as required by R.C. 4505.06(A)(5)(b).
21. The Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A), by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title on or before the fortieth day after the sale of the motor vehicles as required by R.C. 4505.181(B)(1).
22. The Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A) by failing to post a surety bond after the Attorney General paid a retail purchaser of the dealer from the TDR Fund due to the Defendants' failure to deliver title to the purchaser, as required by R.C. 4505.181.
23. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 *et seq.* The 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 prays that this Court:

- A. ISSUE A DECLARATORY JUDGMENT declaring that each act or practice described in Plaintiff's Complaint 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.
- B. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants and any officers, agents, representatives, salespeople, employees, successors and assigns and all persons acting in concert or participating with them, directly or indirectly, from engaging in the acts and practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.*
- C. ORDER Defendants liable for reimbursement to all consumers found to have been damaged by the Defendants' unfair and deceptive acts and practices, and motor vehicle title violations.
- D. ORDER Defendants liable for payment to the TDR 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 \$25,000.00 for each of the appropriate unfair and deceptive acts alleged in the Complaint, pursuant to R.C. 1345.07(D).
- F. ORDER that the Defendants be enjoined from engaging in consumer transactions as a Supplier in the State of Ohio until they have satisfied all restitution, civil penalties, and

court costs as ordered by this court; repaid the TDR Fund; and have posted the required R.C. 4505.181 surety.

- G. ORDER that the Defendants be prohibited from maintaining, renewing or applying for an auto dealer or salesperson license under Chapter 4517 of the Revised Code.
- H. GRANT Plaintiff its costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded including any statutory interest permitted by law.
- I. ORDER the Defendants to pay all court costs.
- J. GRANT such other relief as the Court deems to be just, equitable and appropriate.

Dave Yost
Ohio Attorney General

/s/ Rosemary E. Rupert

ROSEMARY E. RUPERT (0042389)
Principal Assistant Attorney General
Consumer Protection Section
Ohio Attorney General's Office
30 East Broad Street, 14th Floor
Columbus, Ohio 43215
(614) 752-5548
rosemary.rupert@ohioattorneygeneral.gov
Counsel for Plaintiff