



as Custom Reptile Habitats (“Worldwide”) and Paul Barclay (“Barclay”) (collectively, “Defendants”), have occurred in the State of Ohio, including in Montgomery County, and, as set forth below, are in violation of the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, Ohio Adm.Code 109:4-3-01 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) through (3), in that Montgomery County is where Defendant Barclay resides, where Defendant Worldwide’s principal place of business was located, and where Defendants conducted some of the activity that gave rise to Plaintiff’s claims for relief.

#### **DEFENDANTS**

5. Defendant Worldwide was an Ohio limited liability company registered with the Ohio Secretary of State. Its principal place of business was located at 2609 Nordic Road, Dayton, Ohio 45414, and its last known mailing address was P.O. Box 27, Vandalia, Ohio 45377.
6. Custom Reptile Habitats is a trade name that Defendant Worldwide registered with the Ohio Secretary of State. The trade name registration was canceled by operation of law in 2025.
7. Defendant Worldwide did business using the name Custom Reptile Habitats.
8. Defendant Barclay is a natural person residing at 257 Inverness Avenue, Vandalia, Ohio 45377.
9. At all times relevant herein, Defendant Barclay controlled and directed the business activities and sales conduct of Defendant Worldwide, causing, personally participating in, or ratifying the acts and practices of Defendant Worldwide, including the conduct giving

rise to the violations described herein.

10. Defendant Worldwide's acts and practices, described herein, could not have occurred without the personal participation and direction of Defendant Barclay.
11. During Defendant Barclay's operation of Defendant Worldwide, he had access to Defendant Worldwide's bank accounts and at times used Defendant Worldwide's funds for non-business purposes.
12. Defendants are "suppliers" as Defendants were, at all times relevant herein, engaged in the business of effecting or soliciting "consumer transactions" by soliciting and selling goods or services to individual "consumers" for purposes that were primarily personal, family, or household within the meanings specified in R.C. 1345.01(A), (C), and (D).

#### **STATEMENT OF FACTS**

13. Defendants solicited, offered for sale, and sold reptile-related goods, including reptile habitats, enclosures, and related accessories, to consumers nationwide from the website [www.customreptilehabitats.com](http://www.customreptilehabitats.com).
14. When consumers placed an order on Defendants' website, consumers paid hundreds of dollars upfront for their selected products.
15. After accepting money from consumers for goods, Defendants failed to deliver the goods that consumers had purchased.
16. Consumers who did not receive their purchased goods attempted to cancel their orders and requested refunds of their upfront payments from Defendants.
17. Defendants failed to refund consumers' payments despite consumers' requests for refunds.
18. In some instances, Defendants promised to provide refunds for items the consumers did not receive but failed to provide the promised refunds.

19. Defendants' business selling reptile-related goods is no longer in operation.

**CAUSE OF ACTION**

**Violation of the CSPA – Failure to Deliver**

20. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in the previous paragraphs of this Complaint.

21. Defendants engaged in unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Failure to Deliver Rule, Ohio Adm.Code 109:4-3-09, by accepting money from consumers for goods or services and then failing to timely deliver the promised goods or services without making a full refund, advising the consumers of the duration of an extended delay and offering to send a refund within two weeks if so requested, or furnishing similar goods or services of equal or greater value as a good faith substitute.

**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 Custom Reptile Habitats, or any other names, their agents, representatives, salespeople, 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., and its Substantive Rules, Ohio Adm.Code 109:4-3-01 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 its Substantive Rules, Ohio Adm.Code 109:4-3-01 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. 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).
- E. 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.
- F. GRANT Plaintiff its costs in bringing this action including, but not limited to, the costs of collecting on any judgment awarded.
- G. ORDER Defendants to pay all court costs.
- H. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

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Ohio Attorney General

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