

(1985)

MAINE DISTRICT COURT

District Eight
Southern Division
Civil Docket No.

12/28
286312

STATE OF MAINE)
)
 Plaintiff)
)
 v.)
)
DEERRIPS AUTO SALES, INC.,)
a Maine corporation with)
its principal place of)
business in Androscoggin)
County, Maine)
)
 Defendant)

COMPLAINT

INTRODUCTION

1. This is an action to obtain civil penalties for violations of the Used Car Information Act pursuant to 10 M.R.S.A. §§ 1471-1477 (1980 and Supp. 1983).

JURISDICTION AND PARTIES

2. This Court has jurisdiction over this action pursuant to 17-A M.R.S.A. § 9(3)(1983).

3. Plaintiff, STATE OF MAINE, a sovereign state, commences this action pursuant to 17-A M.R.S.A. § 4(2) (1983) and 10 M.R.S.A. § 1477 (Supp. 1983) by and through the Attorney General.

4. Defendant, DEERRIPPS AUTO SALES, INC., is a Maine corporation certified by the State of Maine as a New and Used Car Dealer, Plate No. 143 with its principal place of business at 898 Main Street, City of Lewiston, Androscoggin County, Maine.

COUNT I

5. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: 1979 Cherokee four-wheel drive, blue, approximate odometer reading of 73,000 miles which was purchased by Deerripps Auto Sales from Motor Sales, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

6. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT II

7. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated

the sale of, offered for sale or transferred a certain used motor vehicle to wit: green Oldsmobile, VIN/3N69R8X103238, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

8. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT III

9. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: Plymouth Volare, VIN/H45G7F246872, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

10. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT IV

11. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: green Monte Carlo, VIN/H57L7B400478, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

12. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT V

13. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: red Chevrolet Monza, VIN/MO7V97166560, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

14. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT VI

15. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: blue Oldsmobile Royale, VIN/3N69R8X101017, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

16. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT VII

17. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: green 1978 Chevrolet Custom Deluxe 10 pickup, with standard transmission and six cylinders, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

18. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

COUNT VIII

19. On or about the November 23, 1984, in the City of Lewiston, Androscoggin County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold, negotiated the sale of, offered for sale or transferred a certain used motor vehicle to wit: orange Chevrolet Caprice,
VIN/N69H51198420, when said used motor vehicle did not, in fact, have affixed to it a conspicuous written disclosure statement containing the information required by 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

20. Defendant's conduct as described in the preceding paragraph constitutes a violation of 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983).

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Declare that Defendant has violated 10 M.R.S.A. § 1475(1) and (2) (1980 and Supp. 1983) by failing to affix the required disclosure statement to its used cars.

2. Order the Defendant to pay civil penalties pursuant to 10 M.R.S.A. § 1477(2) (Supp. 1983) for each violation of 10 M.R.S.A. § 1475 (1) and (2) (1980 and Supp. 1983).

Dated:

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