

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV80-509

STATE OF MAINE,
Plaintiff

v.

JOHN DURFEE
and
RALPH CAMPBELL,

Defendants

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CONSENT ORDER

1. Plaintiff, State of Maine, filed its Complaint and Affidavit alleging, in part, that the Defendants had operated their asphalt paving and sealing business in violation of the Consumer Solicitation Sales Act (32 M.R.S.A. Section 4661 et seq.) and the Maine Unfair Trade Practices Act.

2. Plaintiff and Defendants mutually have approved the terms of this Order.

3. Therefore, this Court finding that the Complaint states a cause of action and that it has jurisdiction in this matter, hereby permanently enjoins each Defendant, their agents, employees, persons acting in concert with them, in soliciting contracts for paving jobs from:

- A. Violating the requirements of the Consumer Solicitation Sales Act;
- B. Not informing customers they have three business days to avoid the contract; and

C. Starting work before the three business day period has passed.

4. Further, this Court orders the Defendants to use written contracts that incorporate language reasonably equivalent to paragraphs 1, 3, 4, 6 and 7 of the attached sample contract, and specifically required by the Consumer Solicitation Sales Act.

5. The Defendants understand that this Consent Order refers only to the violations charged in paragraphs 6 and 7 of the State's Complaint and that the Complaint's other allegations remain before the Court for permanent resolution.

6. The Court retains jurisdiction over the subject matter of this action and its parties for the purpose of applying to this Court at any time for further orders or directions which may be appropriate.

Dated at Augusta this 15th day of September, 1980.

JUSTICE, SUPERIOR COURT

Seen and Agreed By:

John Durfee
JOHN DURFEE

Ralph Campbell
RALPH CAMPBELL

Witness
WITNESS

■ TRUE COPY:

■ ATTEST

Valerie Page
VALERIE PAGE

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