

MAINE DISTRICT COURT

DISTRICT SEVEN  
DIVISION OF SOUTHERN  
KENNEBEC  
CIVIL DOCKET NO.

STATE OF MAINE,	)	
	)	
Plaintiff	)	
	)	
v.	)	COMPLAINT FOR CIVIL VIOLATIONS
	)	
GOVE TOYOTA, INC.,	)	
	)	
Defendant	)	

INTRODUCTION

1. This is an action to obtain civil penalties for violations of the Motor Vehicle Examination and Inspection Law pursuant to 29 M.R.S.A. §§ 2501-2525 (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 29 M.R.S.A. §§ 2507 and 2507-A (Supp. 1984), by and through the Attorney General.

4. Defendant, GOVE TOYOTA, INC., a Maine corporation, is licensed by the State of Maine as a new and used car dealer. Gove Toyota, Inc.'s principal place of business is on Western Avenue in the City of Augusta, Kennebec County, Maine.

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COUNT I

(Violation of Maine's Examination and Inspection Law - Sale Of A Motor Vehicle Which Did Not Meet Inspection Standards)

5. On or about October 8, 1984, in the City of Augusta, Kennebec County, Maine, the above-named Defendant, a dealer of used motor vehicles, sold or transferred a certain used motor vehicle to wit: a 1978 Toyota Landcruiser, serial number FJ40259361, which vehicle was owned or controlled by Defendant, to Van D. or Michelle A. Vanden Bosch for operation upon the highways when said motor vehicle, in fact, failed to meet the inspection standards required by 29 M.R.S.A. § 2503 (Supp. 1984) and the rules and regulations promulgated thereunder and did not have displayed thereon a valid certificate of inspection issued during the last 30 days prior to the date of sale or transfer.

6. Defendant's conduct as described in the preceding paragraph constitutes a violation of 29 M.R.S.A. § 2507-A (Supp. 1984).

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Declare that Defendant has violated 29 M.R.S.A. § 2507-A (Supp. 1984) by selling or transferring a used motor vehicle for operation upon the highways when said motor vehicle failed to have a current valid inspection sticker affixed to it and failed to meet the inspection standards required by 29 M.R.S.A. § 2503 (Supp. 1984).

2. Order the Defendant to pay civil penalties pursuant to 29 M.R.S.A. § 2507-A(3) (Supp. 1984) for violating 29 M.R.S.A. § 2507-A(1) (Supp. 1984).

3. Any other relief the Court deems necessary and proper.

DATED:

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HYMAN M. GULAK  
Assistant Attorney General  
Consumer & Antitrust Division  
State House Station 6  
Augusta, Maine 04333  
(207) 289-3661

STATE OF MAINE,

Plaintiff

v.

GOVE TOYOTA, INC., a Maine  
corporation with its prin-  
cipal place of business in  
Kennebec County,

Defendant

CONSENT DECREE

Plaintiff, STATE OF MAINE, has filed its Complaint in the above-captioned matter on *October 2, 1985*. Plaintiff and Defendant have consented to the entry of this Consent Order without trial or adjudication of any issue of fact or law herein. Defendant, by entering into this Decree, admits each and every allegation in Plaintiff's Complaint.

NOW THEREFORE, before the taking of any testimony and without trial or adjudication of any issue of fact or law herein, and upon consent of the parties hereto, it is hereby Ordered and Decreed as follows:

1. This Court has jurisdiction over the subject matter of this action and has jurisdiction over the party consenting to this Decree. The Complaint states a claim on which relief may be granted against the Defendant under 29 M.R.S.A. § 2507-A (Supp. 1984).

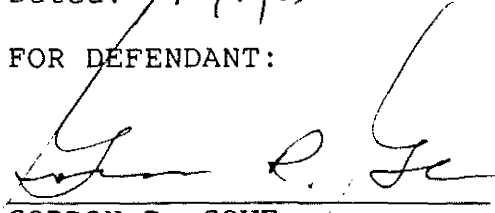
2. Defendant's conduct as set forth in the Complaint constitutes a violation of 29 M.R.S.A. § 2507-A (Supp. 1984).

3. Pursuant to 29 M.R.S.A. § 2507-A(3) (Supp. 1984), Defendant shall pay to the State of Maine civil penalties in the amount of \$250.00.

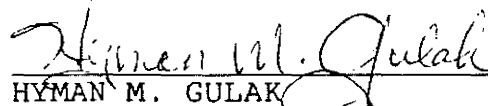
The undersigned, with knowledge of the terms of the above Consent Decree, agree to those terms and to the entry of the Decree.

Dated: 10/2/85

FOR DEFENDANT:

  
GORDON R. GOVE  
President  
Gove Toyota, Inc.

FOR PLAINTIFF, STATE OF MAINE:

  
HYMAN M. GULAK  
Assistant Attorney General  
Consumer & Antitrust Division  
State House Station 6  
Augusta, Maine 04333  
(207) 289-3661

Dated:

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JUDGE, DISTRICT COURT