

STATE OF MAINE  
KENNEBEC, SS.

SUPERIOR COURT  
CIVIL ACTION <sup>13</sup>  
DOCKET NO. CV-12-30

STATE OF MAINE, )  
 )  
 Plaintiff )  
 )  
 v. )  
 )  
 GEORGE D. HEALY, a/b/a )  
 D & G APPLIANCE SERVICE, )  
 )  
 and )  
 )  
 A TECK APPLIANCE REPAIR, )  
 )  
 Defendants )

CONSENT JUDGMENT

Concurrent with this Consent Judgment, Plaintiff State of Maine has filed a Complaint against Defendants George D. Healy, d/b/a/ D & G Appliance Service, and A Teck Appliance Repair. Without constituting evidence against, or admission by, any party as to any issue of fact or law other than jurisdiction, the parties consent to the entry of this Consent Judgment for the purpose of resolving matters at issue, without trial on any issue of fact or law. NOW THEREFORE, IT IS HEREBY ORDERED, JUDGED AND DECREED AS FOLLOWS:

**JURISDICTION**

The Court has personal jurisdiction over the parties and subject matter jurisdiction over this action. The Complaint states a claim for relief pursuant to 5 M.R.S. § 209.

### **INJUNCTIVE RELIEF**

Pursuant to 5 M.R.S. § 209 and M.R. Civ. P. 65, Defendants and any entity in which either has an ownership interest, together with their partners, officers, agents, servants, employees and attorneys, and those persons in active concert or participation with them who receive actual notice of the injunction, shall be permanently enjoined from:

- A) Entering into an oral or written contract with any consumer to provide any major appliance repair services for remuneration;
- B) Creating a false impression, implicitly or explicitly, that either Defendant has a brick-and-mortar store; and
- C) Accepting any referrals from, or entering into any contracts with, any manufacturer or other entity in the business of arranging for, or providing, warranty repairs on major appliances unless they first provide a copy of this Consent Judgment to such manufacturer or entity.

### **RESTITUTION**

Pursuant to 5 M.R.S. § 209, Healy shall pay total restitution of \$ 5,374.67 to the Attorney General on behalf of the consumers listed below, who are owed the amounts indicated. The Attorney General shall distribute payments received to the consumers in a manner that he, in his sole discretion, determines is equitable. If any consumer listed above pursues, or has pursued, a private remedy against Healy, any funds collected by the

consumer shall be deducted from the amount specified herein for that consumer.

1.	Virginia Agostinelli	\$ 379.45
2.	David Bellville	\$ 346.96
3.	Melissa Bourque	\$ 319.16
4.	Joline Caron	\$ 278.20
5.	Steven Conary	\$ 248.17
6.	Kurt Dyer	\$ 263.50
7.	Cynthia Ferguson	\$ 297.77
8.	Rhonda Goulet	\$ 333.35
9.	H. William Gregory	\$ 324.45
10.	Denny Harris	\$ 454.52
11.	Terence Jones	\$ 235.75
12.	Claudio Latanza	\$ 211.50
13.	Ann Saltzman	\$ 97.00
14.	Deborah Schreiber	\$ 502.00
15.	Brigitte Smith	\$ 70.00
16.	David Smith	\$ 137.74
17.	Melva Smith	\$ 97.00
18.	Rachel Tremblay	\$ 328.15
19.	Avis Winchester	\$ 450.00

**RETENTION OF JURISDICTION**

Jurisdiction is retained by this Court for the purpose of enabling any of the parties to apply to the Court at any time for further order and directions as may be necessary or appropriate for the modification, construction, enforcement, or execution of this Consent Judgment. Each and every violation of this Consent Judgment shall be treated as a separate contempt thereof.

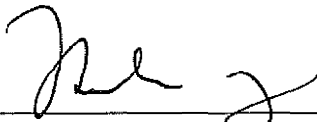
**EFFECTIVE DATE**

IT IS HEREBY ORDERED that this Consent Judgment shall be effective immediately upon entry.

This Consent Judgment may be incorporated by reference on the court docket.

Dated:

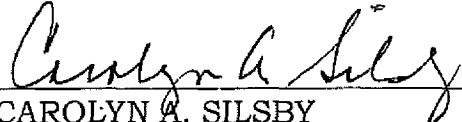
2/10/13

  
\_\_\_\_\_  
Justice, Maine Superior Court

Dated:

1/9/13

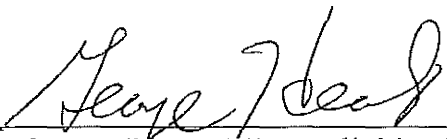
WILLIAM J. SCHNEIDER  
Attorney General

  
\_\_\_\_\_  
CAROLYN A. SILSBY  
Assistant Attorney General  
Maine Bar No. 3030  
Office of Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
Tel. (207) 626-8800

Attorneys for the State of Maine

Dated:

12/24/12

  
\_\_\_\_\_  
GEORGE D. HEALY, Individually and  
As a Partner of Defendant A Teck  
Appliance