

STATE OF MAINE  
KENNEBEC, SS.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO.

STATE OF MAINE,	)	
	)	
Plaintiff	)	
	)	
v.	)	COMPLAINT (For Preliminary
	)	and Permanent Injunction)
ROBERT E. MEAD, d/b/a	)	
UNIVERSAL CHILD SAFETY	)	
CAMPAIGNS,	)	
	)	
Defendant	)	

INTRODUCTION

1. This is an action under the Unfair Trade Practices Act, 5 M.R.S.A. §§ 206-214 (1979 & Supp. 1987) to obtain declaratory relief and a preliminary and permanent injunction prohibiting Defendant from engaging in unfair and deceptive conduct.

PARTIES AND JURISDICTION

2. Plaintiff, State of Maine, a sovereign state, by and through its Attorney General, commences this action under 5 M.R.S.A. §§ 206-214 (1979 & Supp. 1987), commonly known as the Unfair Trade Practices Act, to protect the public by preventing and restraining Defendant from engaging in violations of the Unfair Trade Practices Act.

3. Defendant, Robert E. Mead (hereinafter referred to as Defendant) is president of Universal Child Safety Campaigns, a Massachusetts business. Defendant is engaged in the business of producing and distributing calendars in the State of Maine and throughout New England.

4. This court has jurisdiction over this action pursuant to 5 M.R.S.A. § 209 (1979).

FIRST CAUSE OF ACTION

(Violation of Unfair Trade Practices Act)

5. From January, 1986 through January, 1987, Defendant solicited advertisements to appear on 30 different Universal Child Safety Campaign calendars sponsored by municipal police, fire, and rescue departments statewide. Defendant solicited local businesses through in-person visits.

6. Defendant sold advertisements to appear on the 30 different Universal Child Safety Campaign calendars to 569 advertisers statewide. The advertisers paid \$45 or \$89 for the advertisements, depending upon the size purchased.

7. Defendant collected approximately \$60,000 from the businesses which purchased advertisements.

8. Each set of calendars consisted of 100-200 calendars which were to be distributed by the Defendant to the sponsoring departments and advertisers.

9. In the course of its solicitation and sale of advertisements, Defendant represented to advertisers that the calendars would be distributed at a particular date in time.

10. In particular, Defendant represented to advertisers that it would distribute one batch of calendars in October, 1986 and a second batch of calendars in January 1987.

11. The representations made by Defendant regarding the delivery dates of the calendars were false, misleading, and deceptive in that as of March, 1986, Defendant, in fact, had distributed only three sets of 30 different calendars. As of December 1, 1987, Defendant had delivered only 18 of the 30 different calendars. By failing to deliver those calendars in a timely manner and to distribute the remaining 12 sets of calendars, Defendant has engaged in an unfair or deceptive act or practice in violation of 5 M.R.S.A. § 209 of the Unfair Trade Practices Act.

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests this court to:

1. Declare that the Defendant has violated 5 M.R.S.A. § 207 (1979) by wholly failing to distribute 12 sets of Universal Child Safety Campaign calendars and by delivering 18 sets of calendars three to fifteen months late;

2. Issue a preliminary and permanent injunction pursuant to 5 M.R.S.A. § 209 (Supp. 1987) enjoining the Defendant, its agents, employees, assigns, or other persons acting for the Defendant or under his control from misrepresenting any fact to advertisers, including, but not limited to, calendar delivery dates and from wholly failing to deliver calendars;

3. Order the Defendant to pay to the businesses which purchased advertisements on calendars that were not printed and distributed all monies which Defendant collected from the sale of advertisements for those calendars;

4. Order the Defendant to pay the cost of the suit and of the investigation of the Defendant by the Attorney General;

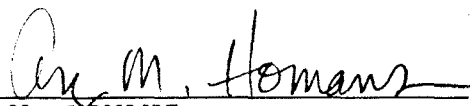
5. Grant such other relief as the court deems just and equitable.

Dated: 1/13/88

JAMES E. TIERNEY  
Attorney General

---

STEPHEN L. WESSLER  
Assistant Attorney General  
Chief, Consumer & Antitrust Division  
State House Station 6  
Augusta, Maine 04333  
(207) 289-3661

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

STATE OF MAINE  
KENNEBEC, SS.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. CV-

STATE OF MAINE, )  
 )  
 Plaintiff )  
 )  
 v. )  
 )  
 ROBERT E. MEAD, d/b/a )  
 UNIVERSAL CHILD SAFETY )  
 CAMPAIGNS, )  
 )  
 Defendant )

CONSENT DECREE

Plaintiff, State of Maine, having filed its Complaint on January 13, 1988, and Plaintiff and Defendant, Robert E. Mead, d/b/a Universal Child Safety Campaigns ("Defendant"), by their respective authorized agents have consented to the entry of this Consent Decree and Order without trial or adjudication of any issue of fact or law. By entering into this Consent Decree, the Defendant admits the allegations contained in the said Complaint.

NOW, THEREFORE, before the taking of any testimony and without trial and adjudication of any issue of fact or law, 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 the Complaint states a claim upon which relief

may be granted against Defendant under 5 M.R.S.A. § 209 (Supp. 1987).

2. Defendant, its agents, employees, assigns or other persons acting for Defendant, or under his control, are permanently enjoined from:

A. violating any provision of the Unfair Trade Practices Act, 5 M.R.S.A. § 206 et seq. (1979 & Supp. 1987);

B. misrepresenting any fact in the course of selling calendars or any other product, good, or service including, but not limited to, the dates upon which Defendant will deliver calendars;

C. wholly failing to deliver calendars and any other products distributed by the Defendant in the course of his business in the State of Maine;

D. delivering all remaining calendars to the appropriate locations no later than January 11, 1988.

3. The Defendant shall pay, on or before the date of this Order, \$400 to the Department of the Attorney General for the costs of suit and investigation made by the Department of the Attorney General.

4. The Court shall retain jurisdiction over this matter for the purpose of enforcing this decree.

Dated: 1/13/08

*Amy M. Homans*

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

Attorney for State of Maine

FOR ROBERT E. MEAD, d/b/a  
UNIVERSAL CHILD SAFETY CAMPAIGNS:

Dated:

*R. E. Mead*

ROBERT E. MEAD

RECEIVED  
UNIVERSAL CHILD SAFETY CAMPAIGNS