

KENNEBEC, SS.

PAUL E. CHABOT

and

PAUL E. CHABOT AND ASSOCIATES

d/b/a KENISTON'S

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ASSURANCE OF DISCONTINUANCE

Pursuant to the Unfair Trade Practices Act, 5 M.R.S.A. § 206, et seq., the Attorney General has examined the conduct of Paul E. Chabot and Paul E. Chabot and Associates d/b/a Keniston's (hereinafter both parties are referred to as Chabot) and has found the following:

1. Chabot owns and operates a retail carpet store in Westbrook, Maine known as Keniston's.
2. Chabot currently purchases and has purchased for a number of years a sizable quantity of carpets from Ben Elfman and Son, a carpet distributor located in Massachusetts.
3. In early 1979, Gary Pontau opened a retail carpet store in Westbrook, Maine, known as the Carpet Gallery.
4. In the spring of 1979, Ben Elfman and Son, through one of its sales representatives, Donald Hammer, agreed to sell carpets to Pontau.
5. Upon learning of Elfman's agreement with Pontau, Chabot threatened to discontinue purchasing carpets from Elfman unless Elfman ceased doing business with Pontau.
6. Based upon Chabot's representations, described in the

preceding paragraph, Hammer informed Pontau that Elfman would not be able to sell to him.

The Attorney General believes that Paul E. Chabot and Paul E. Chabot and Associates d/b/a Keniston's engaged in a concerted effort with Donald Hammer, the sales representative for Ben Elfman and Son, to deny to Gary Pontau access to the wholesale carpets sold by Elfman. Furthermore, the Attorney General believes that this concerted effort constitutes a group boycott in violation of the Unfair Trade Practices Act. WHEREFORE, without admission as to any issue of law or fact alleged in the preceding paragraph, Paul E. Chabot and Paul E. Chabot and Associates d/b/a Keniston's, pursuant to 5 M.R.S.A. § 210, assure that they will:

1. refrain from engaging in any concerted effort or boycott the purpose or effect of which is to interfere with the relationship between Gary Pontau and manufacturers or distributors of carpets and other flooring materials (such as tiles);
2. pay to the Attorney General, upon the filing of this Assurance in Superior Court, the sum of \$300.00 to reimburse the Attorney General

for the costs of his investigation into this
matter.

DATED:

Aug 18, 1979

Paul E. Chabot

PAUL E. CHABOT

and

PAUL E. CHABOT and ASSOCIATES
d/b/a Keniston's

STATE OF MAINE
ANDROSCOGGIN, SS:

Personally appeared the above named Paul E. Chabot and
made oath to the truth of the statement by him subscribed.

AUGUST 18, 1979

Stephen P. Biale

NOTARY PUBLIC

my Commission EXPIRES NOV. 7, 1982

DATED:

8/23/79

Stephen L. Wessler
STEPHEN L. WESSLER

Assistant Attorney General
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