

MAR 28 2012

STATE OF INDIANA
OFFICE OF THE SECRETARY OF STATE
AUTO DEALER SERVICES DIVISION

INDIANA
SECRETARY OF STATE

IN THE MATTER OF:

STARS AUTO SALES,

Respondent.

)

) Cause No. DLR 12-0039 CA

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CONSENT AGREEMENT

The Office of the Indiana Secretary of State, Auto Dealer Services Division (the "Division") and Respondent Stars Auto Sales ("SAS") agree and stipulate to the following:

1. The Auto Dealer Services Division ("Division") is a division of the Office of the Secretary of State. The Division has jurisdiction over matters relating to automobile dealers, as provided by Indiana Code § 9-23-0.7-1.
2. SAS is a business entity that provided the Division with a last known business address of 2422 S. Calhoun Street, Fort Wayne, Indiana, 46807.
3. SAS is a dealer, or other entity defined by Indiana Code § 9-23-2-1, that holds Indiana dealer license #1000565.
4. On or about June 22, 2011, the Division received information that SAS had displayed at least five (5) vehicles for sale at a place away from its established place of business, actions equating to unlicensed offsite sales in violation of Indiana Code § 9-23-2-6.
5. This Consent Agreement deals only with SAS' unpermitted and unauthorized offsite sales on and prior to June 22, 2011.
6. In lieu of further administrative proceedings, SAS and the Division agree as follows:

- (a) SAS waives its right to a hearing pursuant to Indiana Code § 9-23-2-14(d).
 - (b) SAS waives its right to an appeal pursuant to Indiana Code § 9-23-2-17.
 - (c) SAS shall pay a total civil monetary penalty of Three Thousand, Two Hundred Dollars (\$3,200.00) to the Division on or before March 1, 2012.
 - (d) SAS agrees not to violate any statutes or administrative regulations that pertain to dealers including, but not limited to, the Indiana Motor Vehicles Manufacturers, Distributors, and Dealers Act, Indiana Code § 9-23-2.
7. The failure of SAS to adhere to the terms of this Consent Agreement shall constitute grounds for administrative action against SAS and any party involved in the violation.
8. This Consent Agreement may be used to show repetitive conduct should SAS commit future violations of the Act.
9. The parties to this Consent Agreement agree that all the terms of the Agreement are contractual and that none is a mere recital.
10. This Consent Agreement may be executed in multiple counterparts, each of which shall be considered binding on all parties.
11. This Consent Agreement is expressly subject to the approval of the Commissioner, and should the Commissioner fail or refuse, for any reason, to approve this Consent Agreement, the same shall be of no force or effect, and it shall not be admissible into evidence nor referred to any hearing held in connection with the matters referred to herein.

-- Please see following page for continuation of this Consent Agreement. --

MAR 26 2012

STARS AUTO SALES

INDIANA SECRETARY OF STATE
AUTO DEALER SERVICES DIVISION

By: [Signature]
Printed: [Signature]
Title: owner
Date: 3-26-12

By: [Signature]
Ashley Humphries
Enforcement Attorney
Date: 3/26/12

APPROVED and ORDERED at Indianapolis Indiana this 28TH day of MARCH, 2012.

CONNIE LAWSON
SECRETARY OF STATE

[Signature]

CHRIS NAYLOR
SECURITIES COMMISSIONER

