

APR 10 2012

INDIANA
SECRETARY OF STATE

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

IN THE MATTER OF:)
) Cause No. DLR 12-0058 CA
ROLLIN RITE AUTO,)
)
Respondent.)

CONSENT AGREEMENT

The Office of the Indiana Secretary of State, Auto Dealer Services Division (the "Division") and Respondents Rollin Rite Auto ("RRA") agree and stipulate to the following:

1. The 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. RRA is a business entity that provided the Division with a last known business address of 109 S. Logan Street, Suite 113D, Winamac, Indiana, 46996.
3. RRA is a wholesale dealer, or other entity defined by Indiana Code § 9-23-2-1, that holds Indiana dealer license #1000024.
4. On or about December 13, 2011, the Division received information that RRA had conducted numerous unpermitted retail sales conducted in violation of 75 Indiana Administrative Code § 2-2-10
5. The eight (8) motor vehicles for which RRA conducted unpermitted retail sales are listed as follows by vehicle name and vehicle identification number ("VIN"):
 - a. 1994 Buick LeSabre, Vehicle Identification Number ("VIN") ending in 3442;
 - b. 1995 Chevrolet Lumina, VIN ending 0218;
 - c. 1997 Mazda Millenia, VIN ending 9771;
 - d. 2001 Saturn SL2, VIN ending 9614;

- e. 1997 Pontiac Transport, VIN ending 8294;
- f. 1992 Dodge Caravan, VIN ending 5527;
- g. 1993 Buick LeSabre, VIN ending 9530;
- h. 1998 Saturn SL2, VIN ending 8385.

6. This Consent Agreement deals only with the vehicles with respective VINs referenced herein.

7. In lieu of further administrative proceedings, RRA and the Division agree as follows:

(a) RRA waives its right to a hearing pursuant to Indiana Code § 9-23-2-14(d).

(b) RRA waives its right to an appeal pursuant to Indiana Code § 9-23-2-17.

(c) RRA shall pay a total civil monetary penalty of Nine Thousand, Six Hundred Dollars (\$9,600.00) to the Division on or before April 2, 2012.

(d) RRA 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.

8. The failure of RRA to adhere to the terms of this Consent Agreement shall constitute grounds for administrative action against RRA and any party involved in the violation.

9. This Consent Agreement may be used to show repetitive conduct should RRA commit future violations of the Act.

10. The parties to this Consent Agreement agree that all the terms of the Agreement are contractual and that none is a mere recital.

11. This Consent Agreement may be executed in multiple counterparts, each of which shall be considered binding on all parties.

12. 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.

ROLLIN RITE AUTO.

INDIANA SECRETARY OF STATE
AUTO DEALER SERVICES DIVISION

By: Timothy M. Casey
Printed: Timothy L. Casey
Title: Owner
Date: 4/5/12

By: Ashley Humphries
Ashley Humphries
Enforcement Attorney
Date: 4/10/12

APPROVED and ORDERED at Indianapolis, Indiana this 10TH day of APRIL, 2012.

CONNIE LAWSON
SECRETARY OF STATE

Chris Naylor
CHRIS NAYLOR
SECURITIES COMMISSIONER

