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| COMMONWEALTH OF PENNSYLVANIA | : | IN THE COURT OF COMMON PLEAS |
| BY THOMAS W. CORBETT, JR. | : | OF MONROE COUNTY |
| ATTORNEY GENERAL | : | |
| | : | |
| PLAINTIFF | : | CIVIL ACTION |
| vs. | : | |
| | : | |
| GLEN LANGILLE, individually and d/b/a | : | |
| LANGSTAFF, INC. and | : | |
| LANGSTAFF, INC. | : | |
| | : | |
| DEFENDANT | : | NO. |

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Petition and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for money claimed in the Petition or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Monroe County Bar Association
 Lawyer Referral Service
 913 Main Street
 Stroudsburg, PA 18360
 Phone: 570-424-7288

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COMPLAINT

AND NOW, comes the Commonwealth of Pennsylvania by Attorney General Thomas W. Corbett, Jr., through the Bureau of Consumer Protection, who brings this action on behalf of the Commonwealth pursuant to § 201-4 of the Unfair Trade Practices and Consumer Protection Law, 73 P.S. § 201-1, *et seq.* (hereinafter “Consumer Protection Law”), which Act authorizes the Attorney General to bring an action in the name of the Commonwealth of Pennsylvania, to restrain by Permanent Injunction the conduct of any trade or commerce using unfair methods of competition or unfair or deceptive acts or practices declared unlawful by said Consumer Protection Law. The Commonwealth also seeks, pursuant to § 201-4.1 of the Consumer Protection Law, restitution of monies acquired from consumers by means of violation of said Consumer Protection Law. Additionally, the Commonwealth seeks appropriate civil penalties pursuant to § 201-8(b) of the Consumer Protection Law for all willful violations of the Consumer Protection Law. The Commonwealth seeks to recover its costs for enforcement of the Consumer Protection Law to be used for future public protection and education purposes, pursuant to Section 918 of *The Administrative Code of 1929*, 71 P.S. § 307-1, *et seq.*, § 307-2(2). In support thereof, the Commonwealth respectfully represents the following:

PARTIES

1. The Plaintiff is the Commonwealth of Pennsylvania acting by Attorney General Thomas W. Corbett, Jr., through the Bureau of Consumer Protection, located at Room 100, Samter Building, 101 Penn Avenue, Scranton, Pennsylvania 18503-2025 (hereinafter referred "Commonwealth" or "Plaintiff").

2. Defendant Glen Langille, is an adult individual and, to the best of Plaintiff's information and belief, a Pennsylvania resident whose address is RR 3, Box 2003, Effort, Monroe County, Pennsylvania (hereinafter referred to as "Defendant" or "Langille").

3. Langstaff, Inc. is a Pennsylvania corporation with its registered address at the time of its creation is 1990, at RR 2, Box 2035, Effort, PA 18330.

BACKGROUND

4. Defendant, Glen Langille, operates and exercises control over the business known as Langstaff, Inc., from his residence at RR 3, Box 2003, Effort, Monroe County, Pennsylvania.

5. Defendants engage in trade or commerce in the Commonwealth of Pennsylvania in the business of home repair and construction.

6. The Commonwealth has reason to believe that the Defendants have used, are using, or are about to use practices declared unlawful by the Consumer Protection Law (a copy of which Act is attached hereto as Exhibit "A").

7. The Commonwealth believes the public interest is served by seeking before this Honorable Court a Permanent Injunction to restrain the operations, methods, acts and practices of Defendants as hereinafter set forth, as well as seeking restitution for consumers and civil penalties for violations of the law.

8. The Commonwealth believes that the imposition of civil penalties of one thousand dollars (\$1,000.00) for each instance of a willful past or present violation of the Consumer Protection Law is appropriate, along with enhanced civil penalties of three thousand dollars (\$3,000.00) for each willful violation involving consumer victims age sixty (60) or older, pursuant to § 201-8(b) of the Consumer Protection Law.

9. Defendants have accepted substantial payments for home construction which they failed to complete and/or which was performed in a shoddy or unworkmanlike manner.

10. To date, the Commonwealth has investigated consumer complaints filed by Pennsylvania consumers, all of whom have paid monies to the Defendants for work which was performed in an incomplete or shoddy or unworkmanlike manner.

11. The Commonwealth believes the public interest is served by seeking before this Honorable Court a Permanent Injunction to restrain the operations, methods, acts and practices of Defendants as hereinafter set forth, as well as seeking restitution for consumers and civil penalties for violations of the law.

12. The Commonwealth has received and investigated consumer complaints involving instances where Defendants were paid for shoddy or incomplete construction work.

13. In some instances, Defendants performed a minimal amount of work or failed to perform any work at all, after receiving substantial deposits from consumers.

14. In other instances, Defendants have failed to complete home repair or construction after receiving all or substantially all monies due from consumers.

15. Additionally, Defendants have installed homes in a shoddy and unworkmanlike manner, requiring consumers to hire third parties to correct and properly complete these jobs.

VIOLATIONS OF CONSUMER PROTECTION LAW

16. The Commonwealth asserts that all of Defendants' actions as set forth above constitute violations of §201-3 of the Consumer Protection Law, as defined by the following subsections of §201-2(4):

- (v) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation or connection that he does not have;
- (vii) Representing that goods or services are of a particular standard, quality or grade, or that goods are of a particular style or model, if they are of another;
- (xvi) Making repairs, improvements or replacements on tangible, real or personal property, of a nature or quality inferior to or below the standard of that agreed to in writing;
- (xxi) Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

17. In addition, the majority of the consumer contracts utilized by Defendants were entered into at the homes of consumers, thereby requiring Defendants to provide written notice of three day cancelation rights pursuant to §201.7 of the Consumer Protection Law.

18. Defendants' contracts fail to contain such written notices, in violation of §201.7.

19. All of the actions set forth above have been performed in a willful manner, thereby subjecting Defendants to the imposition of civil penalties under §201-8 of the Consumer Protection Law.

20. Defendant Glen Langille personally participated in all of the deceptive or fraudulent acts alleged herein and is personally liable for consumer restitution, as well as civil penalties, costs, and injunctive relief.

21. The Commonwealth alleges that all of the practices described above were performed willfully, thereby subjecting Defendants to the imposition of civil penalties of one thousand dollars (\$1,000.00) for each violation under § 201-8 of the Consumer Protection Law, including enhanced civil penalties of three thousand dollars (\$3,000.00) for each willful violation involving consumer victims over the age of sixty (60), in addition to the other relief sought.

PRAYER FOR RELIEF

WHEREFORE, the Commonwealth prays this Honorable Court to enter a Decree as prayed for herein below:

A. Directing Defendants to make appropriate consumer restitution through the Bureau of Consumer Protection to be distributed to those consumers entitled thereto;

B. Directing Defendants to make appropriate restitution to other consumers not specifically listed herein above provided that said losses are established at trial to the satisfaction of the court;

C. Directing Defendants to forfeit and pay to the Commonwealth separate civil penalties of one thousand dollars (\$1,000) for each instance of a willful violation of the Consumer Protection Law established at the trial of this matter;

D. Enjoining Defendants from any further violations of the Consumer Protection Law and, further, directing the forfeiture of Defendants' right to do business as contractors until such time as they can demonstrate to this court that they have made adequate provisions for restitution to those consumers referenced in paragraphs (A) and (B) of this Prayer for Relief;

E. If necessary, appointing a Receiver under Pa. R.C.P. 1533 to determine and collect Defendants' assets and liquidate same to satisfy this Order;

F. Granting the Commonwealth the costs of investigation and costs of filing this action; and

G. Granting such further relief as this court may deem necessary.

Respectfully Submitted:
COMMONWEALTH OF PENNSYLVANIA

THOMAS W. CORBETT, JR.
ATTORNEY GENERAL

Date: _____

BY: _____

BRIAN M. NIXON
DEPUTY ATTORNEY GENERAL
COUNSEL FOR PLAINTIFF
Office of Attorney General
Bureau of Consumer Protection
Room 100, Samter Building
101 Penn Avenue
Scranton, Pennsylvania 18503-2025
(570) 963-4913