

STATE OF INDIANA
IN THE MARION COUNTY SUPERIOR COURT
CAUSE NO. 49D04-2308-PL-031200

STATE OF INDIANA,
Plaintiff,

v.

QUEST CONCRETE LLC;
COBRARO & COMPANY LLC, d/b/a
QUEST EXTERIORS;

and

MICHAEL GOSSETT, individually
and doing business as Quest Concrete
and/or Quest Exteriors,

Defendants.

DEFAULT JUDGMENT

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter jurisdiction and personal jurisdiction over Quest Concrete LLC and Cobraro & Company LLC, d/b/a Quest Exteriors (“Defendants”).

2. The State provided Defendants with proper notice of these proceedings and the Defendants failed to plead or otherwise respond in this action.

RELIEF

3. IT IS ORDERED, ADJUDGED, AND DECREED the Motion for Default Judgment is GRANTED in favor of the Plaintiff, State of Indiana, and against Defendants Quest Concrete LLC and Cobraro & Company LLC, d/b/a Quest Exteriors (“Business Defendants” or “Defendants”). Judgment is entered for the relief described in Paragraphs 3 through 7 of this Order.

4. Judgment is entered in favor of the State and against Defendants for a permanent injunction under Ind. Code § 24-5-0.5-4(c)(1), enjoining Defendants, and the agents, representatives, employees, successors, and assigns of each, from:

- 4.1. committing an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction, in violation of Ind. Code § 24-5-0.5-3(a);
- 4.2. representing that the subject of a consumer transaction has characteristics, uses, or benefits that it does not have, which the Defendants know or reasonably should know it does not have, in violation of Ind. Code § 24-5-0.5-3(b)(1);
- 4.3. representing that they can complete or deliver the subject of a consumer transaction within a stated or reasonable period of time, when the Defendants know or should reasonably know that they cannot, in violation of Ind. Code § 24-5-0.5-3(b)(10);
- 4.4. entering into a home improvement contract with any Indiana consumer without first obtaining a surety bond in favor of the State of

Indiana in the amount of \$75,000.00. Evidence of such a bond shall be provided to the Office of the Indiana Attorney General prior to Defendants entering into a home improvement contract with an Indiana consumer.

4.5. failing to start and complete home improvements by the dates represented to consumers either verbally or in the consumer's contract.

5. Judgment is entered in favor of the State and against Defendants for consumer restitution under the Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-4(d), payable to the Office of the Attorney General, for the benefit of the following consumers in the following amounts:

Consumer Name	Amount
Andrews, Jasmine	\$1,947.18
Arnold, Terri Rae	\$2,650.00
Bellucci, Brandy	\$4,551.50
Bolint, James	\$23,220.00
Brooks, Johanne	\$3,755.44
Chapman, Karen	\$3,759.40
Fischer, Alexia	\$4,000.00
Frazier, Ronald William	\$8,725.19
Hackworth, Amanda and Daniel	\$7,609.14
Hockersmith, Charles	\$3,764.00
Hueston, Tony	\$6,000.00
Hughes, Richard Paul	\$4,500.00
Ingram, Paul	\$14,500.00
Johnson, Carolyn	\$2,750.00
Liebig, April M.	\$3,398.02
McNeil, Debra	\$1,610.00
Modi, Khelan	\$1,841.00
Morris, Robert	\$12,500.00
Schneider, John V.	\$2,524.74

Schulze, Richard	\$2,618.63
Seitz, Brandon	\$2,387.62
Shah, Sue	\$3,119.39
Shepherd, Candie	\$11,695.92
Simmerman, Duane	\$1,750.00
Stevens, Donovan Louis	\$7,600.00
Swint, Kenneth	\$5,000.00
Switzer, Chris	\$3,879.64
Thrall, Mark	\$1,750.00
Veith, Raymond	\$2,600.00

Total: 156,006.81

6. Judgment is entered in favor of the State and against Defendants for civil penalties under Ind. Code § 24-5-0.5-4(g), for Defendants’ knowing violations of Indiana’s Deceptive Consumer Sales Act in the amount of five thousand dollars (\$5,000.00) per violation, with thirty-four (34) violations, for a total penalty amount of one hundred seventy thousand dollars (\$170,000.00), payable to the State of Indiana.

7. Judgment is entered in favor of the State and against Defendants for civil penalties under Ind. Code § 24-5-0.5-8 for each of Defendants’ intentional deceptive acts, in violation of Indiana’s Deceptive Consumer Sales Act, in the amount of five hundred dollars (\$500) per violation, with thirty-four (34) violations, for a total penalty amount of seventeen thousand dollars (\$17,000.00), payable to the State of Indiana.

A total monetary judgment in the amount of three hundred forty-three thousand six dollars and eighty-one cents (\$343,006.81) shall be entered in

favor of the Plaintiff, State of Indiana, and against the Defendants Quest Concrete LLC and Cobraro & Company LLC d/b/a Quest Exteriors.

Additionally, Defendants are enjoined from engaging in the conduct referenced in Paragraph 4, above. The Court finds no just reason for delay and this Order constitutes a final appealable Judgment of this Court regarding Defendants in this Cause.

Court VACATES hearing set on September 23, 2024 at 10:30 a.m.

SO ORDERED.

DATE: 9/9/2024

Anne Flannelly Magistrate
Judge, Marion County Superior Court

Distribution:

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Quest Concrete LLC

Cobraro & Company LLC