DISTRICT OF MARYLAND

FEDERAL TRADE COMMISSION,

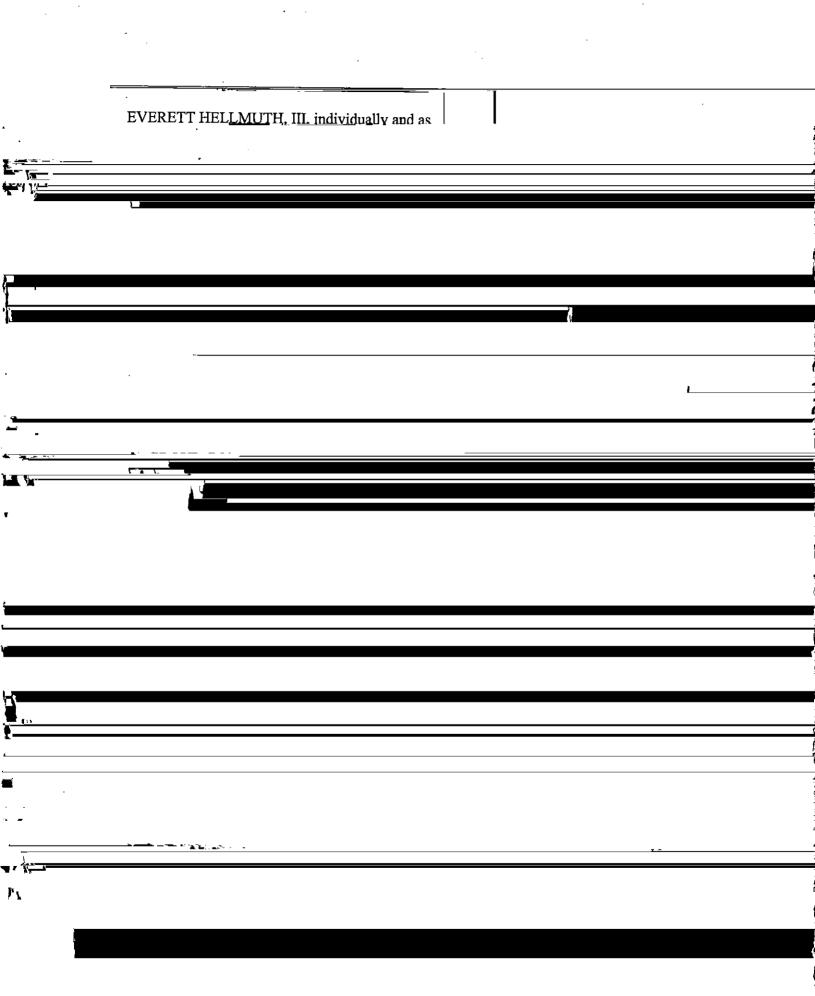
Plaintiff,

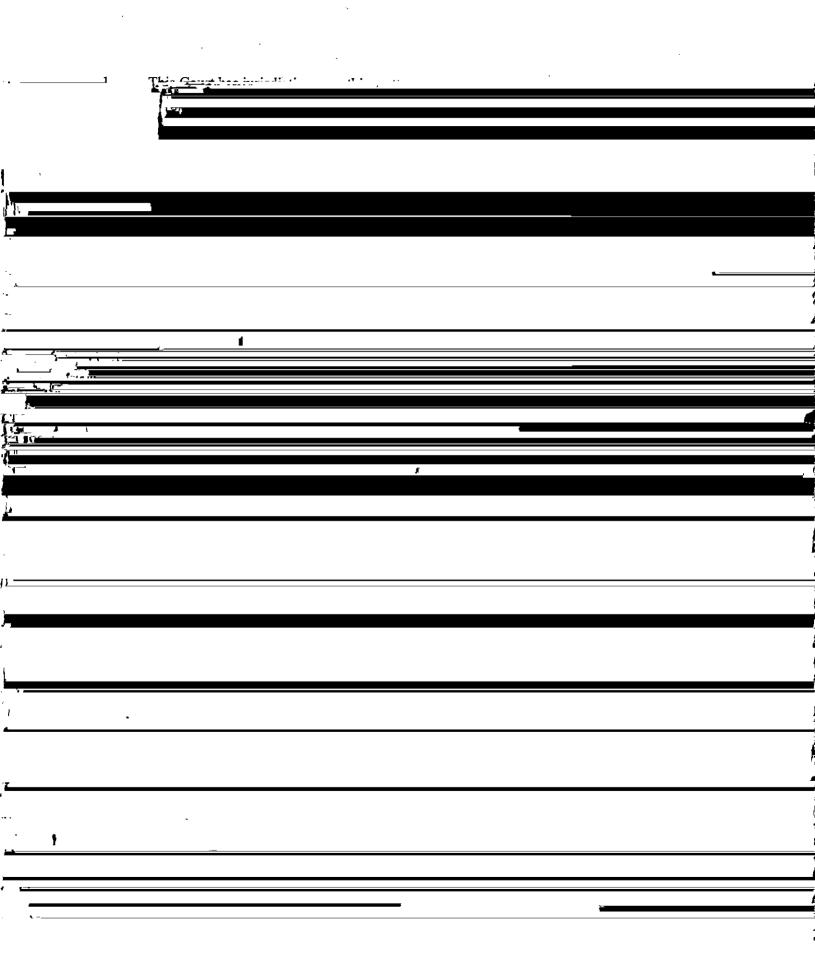
v.

PASSPORT AUTOMOTIVE GROUP, INC., a _

Case No. TDC-22-2670

STIPULATED ORDER FOR PERMANENT INJUNCTION, MONETARY JUDGMENT, AND OTHER RELIEF





- 1. In any communication that is solely visual or solely audible, the disclosure must be made through the same means through which the communication is presented. In any communication made through both visual and audible means, such as a television advertisement, the disclosure must be presented simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure is made in only one means.
- 2. A visual disclosure, by its size, contrast, location, the length of time it appears, and other characteristics, must stand out from any accompanying text or other visual elements so that it is easily noticed, read, and understood.
- 3. An audible disclosure, including by telephone or streaming video, must be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it.
- 4. In any communication using an interactive electronic medium, such as the Internet or software, the disclosure must be unavoidable.

5,	The disclosure r	nust use diction	and syntax	understandable	to ordinary	concumera
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and must appear in each language in which the representation that requires the disclosure appears.

6. The disclosure must comply with these requirements in each medium through which it is received, including all electronic devices and face-to-face communications.

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		8. When the representation or sales practice targets a specific audience, such as
		children, the elderly, or the terminally ill, "ordinary consumers" includes reasonable
•		members of that group.
	C.	"Defendants" means all of the Individual Defendants and the Corporate Defendants,
· j	individ	lually, collectively, or in any combination.
	· ·	1 "Carnarate Defendants" means Descript Assembling Comm. Inc. De-
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		Motorcars, Inc., also d/b/a Passport Nissan of Marlow Heights, also d/b/a Passport Nissan
		Motorcars, Inc., also d/b/a Passport Nissan of Marlow Heights, also d/b/a Passport Nissan
		Motorcars, Inc., also d/b/a Passport Nissan of Marlow Heights, also d/b/a Passport Nissan of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a
		of Virginia, also d/b/a Passport Infiniti of Alexandria; Import Motorcars, Inc., also d/b/a

ORDER

I. PROHIBITION AGAINST MISREPRESENTATIONS

that berendams, berendams officers, agents, employees,	
and attorneys, and all other persons in active concert or participation with any of them, who	
receive actual notice of this Order, whether acting directly or indirectly, in connection with the	
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are permanently restrained and enjoined from misrepresenting, expressly or by implication:

- A. the costs or terms of purchasing, financing, or leasing a vehicle;
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age (provided the applicant has the capacity to contract);			
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	assistance program: or		
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Consumer Credit Protection Act, §§ 1601-1693r, a copy of which is attached; or B. failing to comply with the Equal Credit Opportunity Act, 15 U.S.C. §§ 1691-

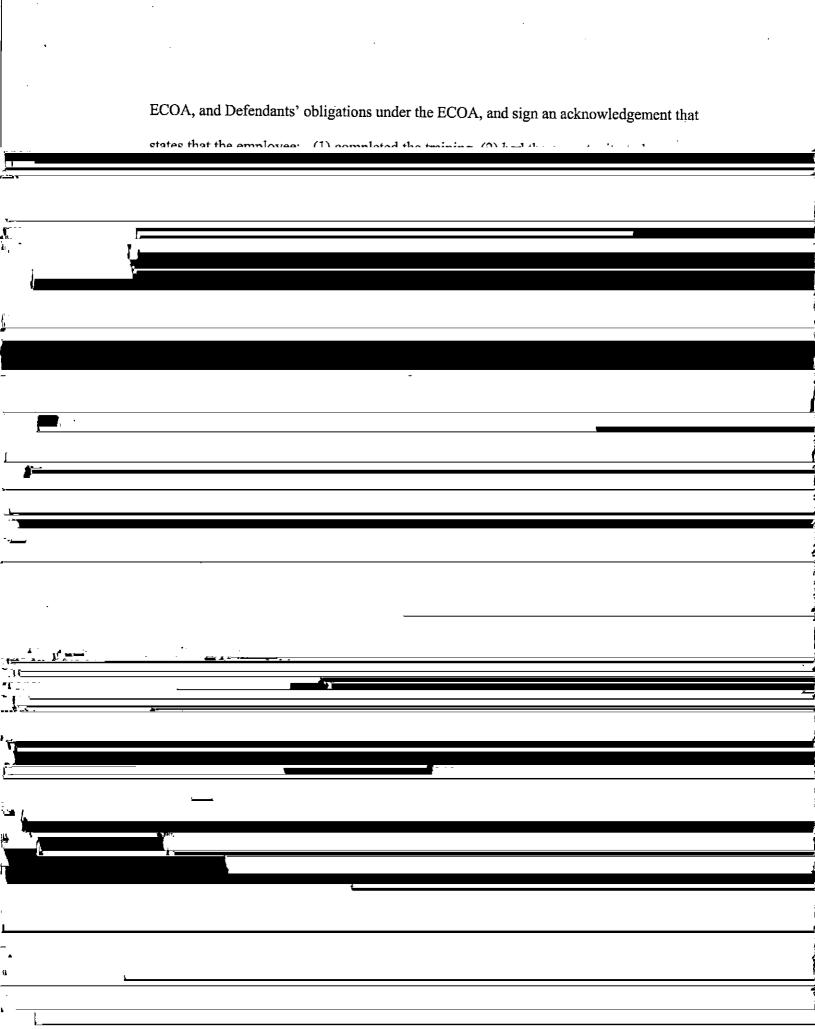
3.

1691f, and Regulation B, 12 C.F.R. § 202 ("ECOA"), a copy of which is attached.

III. FAIR LENDING PROGRAM

because the applicant has in good faith exercised any right under the

IT IS FURTHER ORDERED that Defendants, Defendants' officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, shall not participate in the extension, renewal, or continuation of credit unless they establish and implement, and thereafter



motor vehicle transaction against Defendants or any of Defendants' officers, agents, or employees, submit a copy, along with any response, to the Commission pursuant to the Section titled "Compliance Reporting."

Provided, however, that nothing in this Order shall be construed as permitting any conduct

color, national origin, or any other protected characteristic or violates the ECOA or any other law.

IV. OBTAINING EXPRESS INFORMED CONSENT FOR ALL CHARGES

IT IS FURTHER ORDERED THAT Defendants, Defendants' officers, agents, employees,

	payment must be made within 7 days of entry of this Order by electronic fund transfer in	
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:	D. Defendants relinquish dominion and all legal and equitable right, title, and interest	
, 1	in all accets transferred nursuant to this Order and manner and all all accets transferred nursuant to this Order and manner and all all all accets transferred nursuant to this Order and manner and all all all accets transferred nursuant to this Order and manner at a last all all accets transferred nursuant to this Order and manner at a last all accets transferred nursuant to this Order and manner at a last all accets transferred nursuant to this Order and manner at a last all accepts transferred nursuant to this Order and manner at a last all accepts the acceptance of the order and acceptance at a last accepta	
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may apply any remaining money for such related relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Defendants have no right to challenge any actions the Commission or its representatives may take pursuant to this Subsection. VI. CUSTOMER INFORMATION IT IS FURTHER ORDERED that Defendants, Defendants' officers, agents, employees and all other persons in active concert or participation with any of them, who receive actual notice of this Order are permanently rectrained and anicined from discoulting

the subject matter of the Order and all agents and representatives who participate in the advertising, marketing, promotion, offering for sale or financing, or sale and financing of vehicles; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery must occur within 7 days of entry of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.

From each individual or entity to which a Dafondart delizared a correct this

activities of each business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant (which Individual Defendants must describe if they know or should know due to their own involvement); (d) describe in detail whether and how that Defendant is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.

- 2. Additionally, each Individual Defendant must: (a) identify all telephone numbers and all physical, postal, email and Internet addresses, including all residences; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.
- .B. For 20 years after entry of this Order, each Defendant must submit a compliance

engages in any acts or practices subject to this Order.

- A. Within 14 days of receipt of a written request from a representative of the Commission, each Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce documents for inspection and copying. The Commission is also authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.
- B. For matters concerning this Order, the Commission is authorized to communicate directly with each Defendant. Defendant must permit representatives of the Commission to interview any employee or other person affiliated with any Defendant who has agreed to such an interview. The person interviewed may have counsel present.
- C. The Commission may use all other lawful means, including posing, through its representatives as consumers, suppliers, or other individuals or entities, to Defendants or any individual or entity affiliated with Defendants, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.
- D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Individual Defendants, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

XI. RETENTION OF JURISDICTION

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Cum Date: 9/19/22 Stephen J. Newman, Esq. 1875 K Street NW, Suite 800 Washington, DC 20006 Tel: 202-739-2805 Email: adenson@stroock.com DEFENDANTS: Possnort Automotive Crown Inc. Dosmart Matanas