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**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Jon Leibowitz, Chairman**
 J. Thomas Rosch
 Edith Ramirez
 Julie Brill
 Maureen K. Ohlhausen

In the Matter of

RAMEY MOTORS, INC.,
 a corporation.

DOCKET NO. C-4354

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of Respondent named in the caption hereof, and Respondent having been furnished thereafter with a copy of a draft complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge Respondent with violation of the Federal Trade Commission Act ("FTC Act") and the Truth in Lending Act ("TILA"); and

Respondent, its attorney, and counsel for the Commission having thereafter executed an agreement containing a consent order ("consent agreement"), an admission by Respondent of all the jurisdictional facts set forth in the aforesaid draft complaint, a statement that the signing of the agreement is for settlement purposes only and does not constitute an admission by Respondent that the law has been violated as alleged in such complaint, or that the facts as alleged in such complaint, other than jurisdictional facts, are true, and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that Respondent has violated the FTC Act and the TILA, and that a complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such consent agreement on the public record for a period of thirty (30) days for the receipt and consideration of public comments, now in further conformity with the procedure prescribed in § 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings, and enters the following order:

1. Respondent, Ramey Motors, Inc., is a West Virginia corporation with its principal place of business at Route 460 East, Princeton, WV, 24720.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of Respondent, and the proceeding is in the public interest.

ORDER

DEFINITIONS

For the purposes of this order, the following definitions shall apply:

1. "Advertisement" shall mean a commercial message in any medium that directly or indirectly promotes a consumer transaction.
2. "Clearly and conspicuously" shall mean as follows:
 - a. In a print advertisement, the disclosure shall be in a type size, location, and in print that contrasts with the background against which it appears, sufficient for an ordinary consumer to notice, read, and comprehend it.
 - b. In an electronic medium, an audio disclosure shall be delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend it. A video disclosure shall be of a size and shade and appear on the screen for a duration and in a location sufficient for an ordinary consumer to read and comprehend it.
 - c. In a television or video advertisement, an audio disclosure shall be delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend it. A video disclosure shall be of a size and shade, and appear on the screen for a duration, and in a location, sufficient for an ordinary consumer to read and comprehend it.
 - d. In a radio advertisement, the disclosure shall be delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend it.
 - e. In all advertisements, the disclosure shall be in understandable language and syntax. Nothing contrary to, inconsistent with, or in mitigation of the disclosure shall be used in any advertisement or promotion.
3. "Consumer credit" shall mean credit offered or extended to a consumer primarily for personal, family, or household purposes.
4. "Material" shall mean likely to affect a person's choice of, or conduct regarding, goods or services.
5. "Motor vehicle" shall mean
 - a. any self-propelled vehicle designed for transporting persons or property on a street, highway, or other road;

- b. recreational boats and marine equipment;
- c. motorcycles;
- d. motor homes, recreational vehicle trailers, and slide-in campers; and
- e. other vehicles that are titled and sold through dealers.

I.

IT IS ORDERED that Respondent, directly or through any corporation, subsidiary, division, or other device, in connection with any advertisement to promote, directly or indirectly, the purchase, financing, or leasing of automobiles, in or affecting commerce, shall not, in any manner, expressly or by implication:

- A. Misrepresent that when a consumer trades in a used motor vehicle (“trade-in vehicle”) in order to purchase another motor vehicle (“newly purchased vehicle”), Respondent will pay any remaining loan balance on the trade-in vehicle such that the consumer will have no remaining obligation for any amount of that loan; or
- B. Misrepresent any material fact regarding the cost and terms of financing or leasing any newly purchased vehicle.

II.

IT IS FURTHER ORDERED that Respondent, directly or through any corporation, subsidiary, division, or other device, in connection with an advertisement to promote, directly or indirectly, any extension of consumer credit, in or affecting commerce, shall not in any manner, expressly or by implication:

- A. State the amount or percentage of any down payment, the number of payments or period of repayment, the amount of any payment, or the amount of any finance charge, without disclosing clearly and conspicuously all of the following terms:
 - 1. The amount or percentage of the down payment;
 - 2. The terms of repayment; and
 - 3. The annual percentage rate, using the term “annual percentage rate” or the abbreviation “APR.” If the annual percentage rate may be increased after consummation of the credit transaction, that fact must also be disclosed; or
- B. State a rate of finance charge without stating the rate as an “annual percentage rate” or the abbreviation “APR,” using that term.

- C. Fail to comply in any respect with Regulation Z, 12 C.F.R. § 226, as amended, and the Truth in Lending Act, as amended, 15 U.S.C. §§ 1601-1667.

III.

IT IS FURTHER ORDERED that Respondent and its successors and assigns shall, for five (5) years after the last date of dissemination of any representation covered by this order, maintain and upon request make available to the Federal Trade Commission for inspection and copying:

- A. All advertisements and promotional materials containing the representation;
- B. All materials that were relied upon in disseminating the representation; and
- C. All tests, reports, studies, surveys, demonstrations, or other evidence in their possession or control that contradict, qualify, or call into question the representation, or the basis relied upon for the representation, including complaints and other communications with consumers or with governmental or consumer protection organizations.

IV.

IT IS FURTHER ORDERED that Respondent and its successors and assigns shall deliver a copy of this order to all current and future principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities with respect to the subject matter of this order, and shall secure from each such person a signed and dated statement acknowledging receipt of the order. Respondent shall deliver this order to current personnel within thirty (30) days after the date of service of this order, and to future personnel within thirty (30) days after the person assumes such position or responsibilities.

V.

IT IS FURTHER ORDERED that Respondent and its successors and assigns shall notify the Commission at least thirty (30) days prior to any change in the corporation(s) that may affect compliance obligations arising under this order, including but not limited to a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor corporation; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order; the proposed filing of a bankruptcy petition; or a change in the corporate name or address. Provided, however, that, with respect to any proposed change in the corporation about which Respondent learns less than thirty (30) days prior to the date such action is to take place, Respondent shall notify the Commission as soon as is practicable after obtaining such knowledge. Unless otherwise directed by a representative of the Commission in writing, all notices required by this Part shall be emailed to Debrief@ftc.gov or sent by overnight courier (not U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC, 20580. The subject line must begin: FTC v. Ramey Motors.

VI.

IT IS FURTHER ORDERED that Respondent and its successors and assigns, within ninety (90) days after the date of service of this order, shall file with the Commission a true and accurate report, in writing, setting forth in detail the manner and form of their own compliance with this order. Within thirty (30) days of receipt of written notice from a representative of the Commission, they shall submit additional true and accurate written reports.

VII.

This order will terminate on April 19, 2032, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any Part in this order that terminates in less than twenty (20) years;
- B. This order's application to any Respondent that is not named as a defendant in such complaint;
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

Provided, further, that if such complaint is dismissed or a federal court rules that Respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission, Commissioner Ohlhausen not participating.

Donald S. Clark
Secretary

SEAL
ISSUED: April 19, 2012

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RAMEY MOTORS, INC., a West
Virginia corporation,

RAMEY AUTOMOTIVE GROUP, INC.,
a West Virginia corporation,

RAMEY AUTOMOTIVE, INC.,
a Virginia corporation, and

RAMEY CHEVROLET, INC.,
a Virginia corporation,

Defendants.

Case No. _____

Exhibit B

Video Copy of Television Advertisement Referred to in Complaint Paragraph 22



New 2012
**TOYOTA
TUNDRA**

\$27,989

**\$389
A MONTH**

Rameycars.com

ATK EXCEPT FINANCE INCLUDE ALL MANUFACTURER
REBATES AND INCENTIVES. PAYMENTS WITH \$2000 DOWN AND
APPROVED CREDIT. TAX, TITLE, LICENSE AND FEE'S
EXCLUDES FINANCE FEE. MSRP. MSRP EXHIBIT II. 7% FINANCE RATE. 0.99% APR. FINANCE FEE

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RAMEY MOTORS, INC., a West
Virginia corporation,

RAMEY AUTOMOTIVE GROUP, INC.,
a West Virginia corporation,

RAMEY AUTOMOTIVE, INC.,
a Virginia corporation, and

RAMEY CHEVROLET, INC.,
a Virginia corporation,

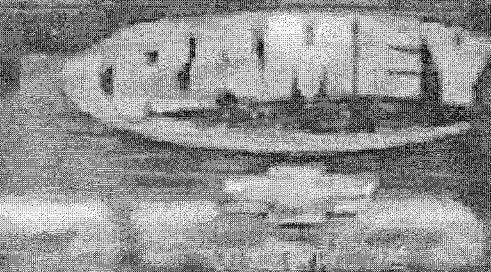
Defendants.

Case No. _____

Exhibit D

Video Copy of Television Advertisement Referred to in Complaint Paragraph 23

NEW 2013 GMC
SIERRA XCAB
4X4



\$411
A MONTH

STOCK # 211422. PAYMENTS BASED ON 72 MONTHS @ 2.99% APR WITH APPROVED CREDIT. \$150 DOWN. TAX, TITLE, LICENSE AND \$175 PROCESSING FEE NOT INCLUDED. PERCENTAGE OFF AND FULL REBATE REQUIRE TRADE AND OWNERSHIP OF 99 OR NEWER CHEVROLET OR GMC TRUCK PRODUCT. SEE DEALER FOR DETAILS.

RameyCars.com

UNITED STATES DISTRICT COURT
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FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RAMEY MOTORS, INC., a West
Virginia corporation,

RAMEY AUTOMOTIVE GROUP, INC.,
a West Virginia corporation,

RAMEY AUTOMOTIVE, INC.,
a Virginia corporation, and

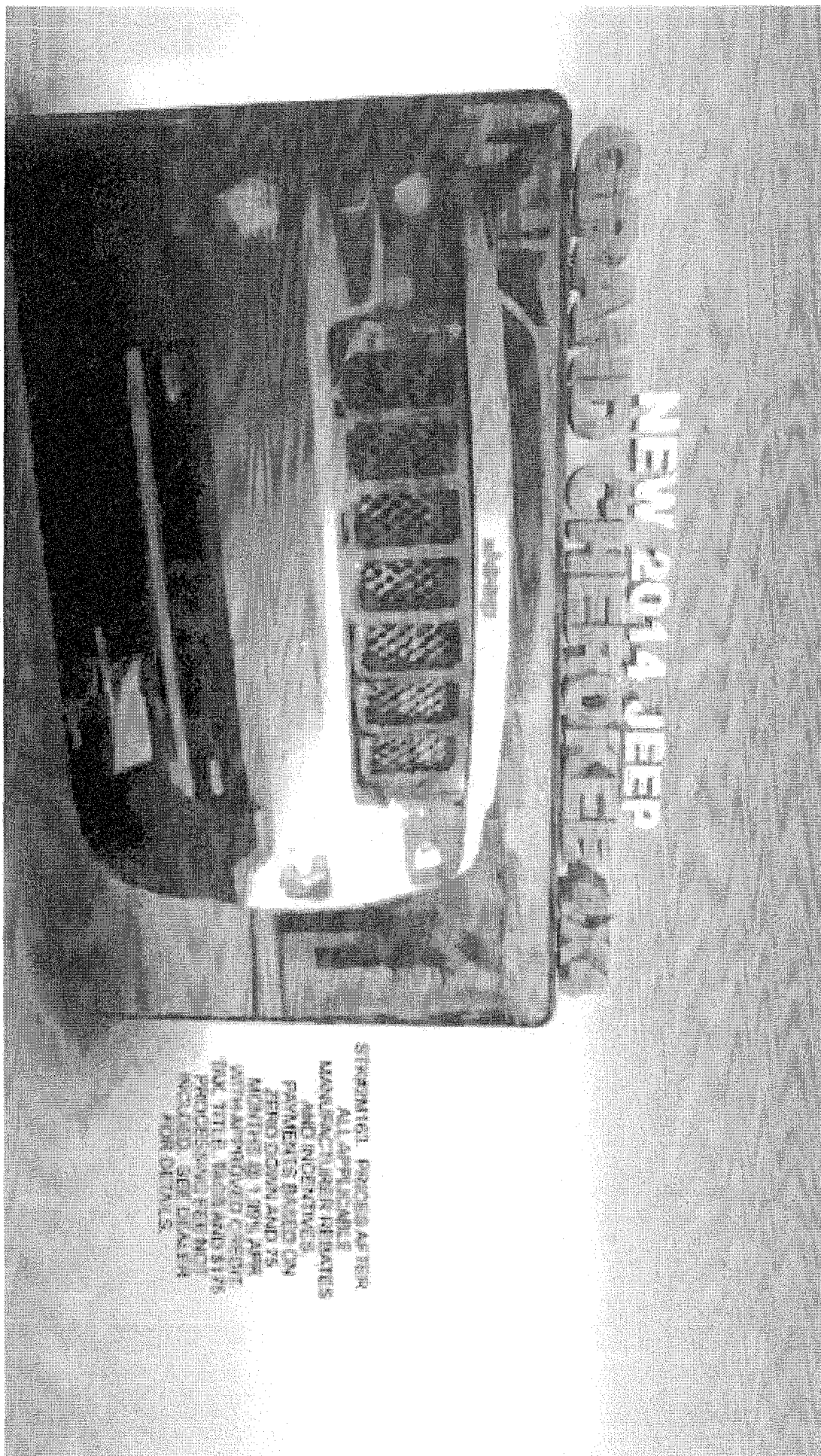
RAMEY CHEVROLET, INC.,
a Virginia corporation,

Defendants.

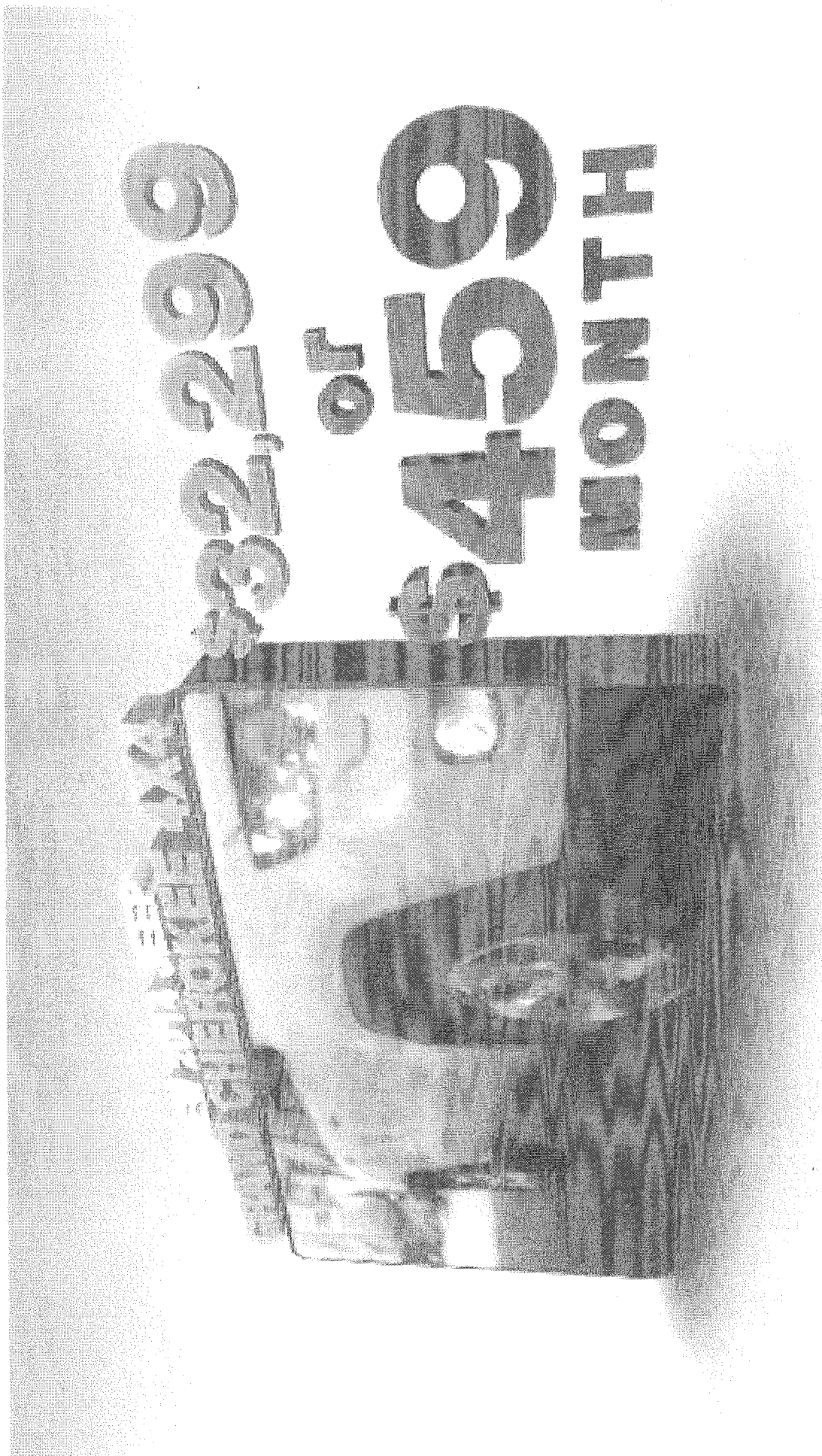
Case No. _____

Exhibit F

Video Copy of Television Advertisement Referred to in Complaint Paragraph 25



STANDARD PRICE AFTER
ALL APPLICABLE
MANUFACTURER REBATES
AND INCENTIVES.
PAYMENTS BASED ON
ZERO DOWN AND 7%
MONTHLY PAYMENTS.
FINANCING PROVIDED BY
FIN. TITLE. REBATES AND
PROGRAMS SUBJECT TO
VARIABLE. SEE DEALER
FOR DETAILS.



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RAMEY MOTORS, INC., a West
Virginia corporation,

RAMEY AUTOMOTIVE GROUP, INC.,
a West Virginia corporation,

RAMEY AUTOMOTIVE, INC.,
a Virginia corporation, and

RAMEY CHEVROLET, INC.,
a Virginia corporation,

Defendants.

Case No. _____

Exhibit I

Video Copy of Television Advertisement Referred to in Complaint Paragraph 27

RAMEY TOYOTA PRINCETON
127/160 Frazier Dr, Princeton, WV 24740

SALES: 800-403-0019
SERVICE: 888-554-9034



VIEW OUR HUGE SELECTION OF NEW & USED VEHICLES TODAY!

- [VIEW NEW INVENTORY](#)
- [VIEW USED INVENTORY](#)

[HOME](#) [NEW VEHICLES](#) [PRE-OWNED VEHICLES](#) [SPECIALS](#) [SERVICE & PARTS](#) [FINANCE](#) [ABOUT US](#) [CONTACT US](#)

INVENTORY SEARCH

New Pre-Owned

- Select Year -

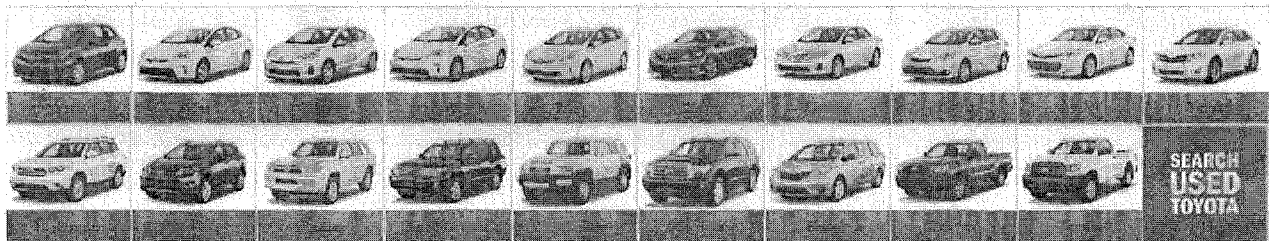
Toyota

- Select Model -

- All Body Style -

Or Search By Stock#

Enter Stock#



QUICK NAVIGATION

- [GET PRE-APPROVED](#)
- [VALUE YOUR TRADE](#)
- [CREDIT SCORE ESTIMATOR](#)
- [QUICK QUOTE](#)
- [SCHEDULE A TEST DRIVE](#)
- [SCHEDULE YOUR SERVICE](#)

FEATURED VIDEO

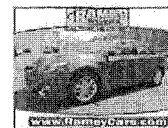


SPECIALS

2013 Toyota Avalon
Internet Price: \$34,215
[View Vehicle Info](#)



2013 Toyota Avalon
Internet Price: \$34,215
[View Vehicle Info](#)



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Toyota Models: 4Runner, Avalon, Camry, Corolla, FJ Cruiser, Highlander, Land Cruiser, Prius, Prius c, Prius Plug-In, Prius v, RAV4, Sequoia, Sienna, Tacoma, Tundra, Venza, Yaris. All Models, New Inventory, Used Inventory

Princeton Toyota Dealer

United States v. Ramey Motors, Inc., et al.
Complaint - Exhibit J

FIND & SAVE

Bluefield Area (Change)

Powered By Bluefield Daily Telegraph

Stores | Categories | Brands | Weekly Circulars | Local

Q

Find&Save > Local Ads > All Advertisers > Ramey Motors Princeton > Ramey Motors Princeton Ad - 4/25/2014

Ramey Motors Princeton
Phone: (888) 381-0635

www.RAMEYCARS.com

Clean Sweep SALE

RAMEY PRINCETON 888-381-0635
Route 19 & 460

2013 Chevy EQUINOX LS MSRP \$20,999 SALE \$18,999	2013 Chevy MALIBU LS MSRP \$17,999 SALE \$15,999	2013 Chevy SPARK LS MSRP \$10,999 SALE \$9,999	2014 Chevy IMPALA LS MSRP \$24,999 SALE \$22,999
2014 Chevy SCORPIO LS MSRP \$19,999 SALE \$17,999	2014 Chevy SILVERADO MSRP \$28,999 SALE \$26,999	2014 Chevy VULCAN SLT MSRP \$14,999 SALE \$12,999	2014 Buick LACROSSE MSRP \$22,999 SALE \$20,999

RAMEY PRINCETON 888-381-0635
Route 19 & 460

2014 Dodge WRANGLER MSRP \$20,999 SALE \$18,999	2014 Dodge CHRYSLER MSRP \$17,999 SALE \$15,999	2014 Dodge COMPASS MSRP \$16,999 SALE \$14,999	2014 Dodge CHRYSLER MSRP \$14,999 SALE \$12,999
2014 Toyota TUNDRA MSRP \$24,999 SALE \$22,999	2014 Toyota CAYLE MSRP \$14,999 SALE \$12,999	2014 Ram 1500 Diesel MSRP \$28,999 SALE \$26,999	

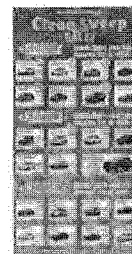
RAMEY TOYOTA 888-381-0635
Route 19 & 460

2013 Toyota PRIUS THREE MSRP \$16,999 SALE \$14,999	2013 Toyota YARIS MSRP \$14,999 SALE \$12,999	2013 Toyota COROLLA LE MSRP \$17,999 SALE \$15,999	2013 Toyota MATAK MSRP \$16,999 SALE \$14,999
2014 Toyota CAMRY LE MSRP \$20,999 SALE \$18,999	2014 Toyota RAV4 MSRP \$22,999 SALE \$20,999	2014 Toyota TACOMA MSRP \$24,999 SALE \$22,999	2014 Toyota GRANDEUR S41 MSRP \$24,999 SALE \$22,999

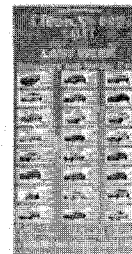
MORE FROM THIS ADVERTISER



4/29/2014



4/28/2014



4/27/2014

Published on Friday, April 25, 2014

This Auto Dealers ad in Bluefield may contain time-sensitive information and offers. United States v. Ramey Motors, Inc. et al. Complaint - Exhibit K
Please check with Ramey Motors Princeton to confirm availability.