STATE OF INDIANA	)	IN THE MARION COUNTY CIRCUIT COURT
	) SS:	
COUNTY OF MARION	)	AVC NO. 02-012

IN RE: WALTER SHEARER, JOSEPH SHEARER, and REEVES CLAXTON, individually and doing business as, NEW DEAL AUTO SALES,	)
Respondents.	)

FILED

MAR 0 6 2002

Sarah M Taylor
CLERK OF THE MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmueller, and the Respondents, Walter Shearer, Joseph Shearer, and Reeves Claxton, individually and doing business as, New Deal Auto Sales, enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Ind. Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, upon consent of the parties.

The parties agree:

1. Respondents are individuals engaged in the sale of used automobiles, with a principal place of business at 6190 Massachusetts, Indianapolis, Indiana 46226 and transact business with Indiana consumers.

2. The terms of this Assurance apply to and are binding upon Respondents, their employees, agents, representatives, successors, and assigns.

3. Respondents acknowledge the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter

described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

4. Respondents will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation that they can deliver title within a stated time frame when Respondents know or should reasonably know they cannot.

5. Respondents will immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondents;

b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;

c. if the conditions under Ind. Code §9-17-3-3(a)(4)(A-E) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

6. Respondents, in soliciting and/or contracting with consumers, shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, that consumers are obligated or required to pay documentary fees.

7. Respondents, in preparing vehicle sales and/or purchase contracts, agree to fully comply with Ind. Code §9-23-3-6.5, including but not limited to, assessing document fees that:

a. reflect expenses actually incurred for preparation of documents;

b. are affirmatively disclosed by the dealer;

c. are negotiated by the dealer and the purchaser;

d. are not for the preparation, handling, or service of documents that are incidental to the extension of credit; and,

e. are set forth on a buyer's order or similar agreement by a means other than pre-printing.

8. Respondents shall not, either directly or indirectly, through their agents, communicate to any consumer that the Office of the Attorney General has approved, sanctioned or endorsed any of Respondents' activities

9. Respondents agree to cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

10. The Office of the Attorney General shall file this Assurance with the Circuit Court of Marion County.

DATED: 2/26/02

STATE OF INDIANA

STEVE CARTER
Indiana Attorney General

By _____
Mary Ann Wehmueller
Deputy Attorney General
Atty. No. 0015251-49A
Office of the Attorney General
402 West Washington, 5th Floor
Indianapolis, Indiana 46204

RESPONDENTS

WALTER SHEARER,
JOSEPH SHEARER, and REEVES CLAXTON, individually and doing business as, NEW DEAL AUTO SALES,

By _____
Walter Shearer

By _____
Joseph Shearer

By _____
Reeves Claxton

APPROVED, this _____ day of _____, 2002.

_____
Judge, Marion County Circuit Court