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9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 STATE OF ARIZONA, *ex rel.* MARK
12 BRNOVICH, Attorney General,

13 Plaintiff,

14 v.

15 BRENT FORD,

16 Defendant.

Case No.: CV2018-008783

**DEFAULT JUDGMENT AS TO
DEFENDANT BRENT FORD**

(Assigned to the Hon. Pamela Gates)

(Default Hearing assigned to Commissioner
Lindsay Abramson)

17
18 This matter having come before the Court on the State's Motion for Default Judgment
19 and Request for Hearing, and the Court having reviewed the pleadings and having conducted a
20 hearing on November 27, 2018 on the issue of relief to be awarded to the State, finds that
21 BRENT FORD was regularly served with process and failed to plead or otherwise defend
22 against the State's Complaint within the time allowed by law and that the default of Defendant
23 BRENT FORD was duly entered by the Clerk of this Court on October 18, 2018 pursuant to
24 Ariz. R. Civ. P. 55.
25
26

1 The Court further finds that the above-named Defendant is neither an infant nor
2 incompetent and that the State is entitled to affirmative relief against him. Accordingly, the
3 Court makes the following Findings of Fact and Conclusions of Law, and enters the following
4 Order:

5 **FINDINGS OF FACT**

6 1. Defendant Brent Ford ("Ford") promised to perform certain landscaping
7 construction services to Arizona consumers.

8 2. Ford took up-front payments from ten consumers to perform such services
9 totaling \$89,599.

10 3. Ford failed to perform the promised services.

11 4. Ford intentionally misrepresented to consumers that the promised services would
12 be performed.

13 5. Ford misled consumers with false pretenses regarding why the work was not
14 being performed when and as promised.

15 6. Ford did not provide a refund to consumers for whom he failed to provide the
16 promised services.

17 **CONCLUSIONS OF LAW**

18 7. Defendant Ford, in connection with the sale or advertisement of merchandise,
19 used or employed deception, deceptive or unfair acts or practices, fraud, false pretense, false
20 promises, misrepresentation, or concealment, suppression, or omission of any material fact with
21 the intent that others rely on such concealment, suppression or omission, thereby engaging in
22 unlawful practices as proscribed by the Arizona Consumer Fraud Act, A.R.S. § 44-1521, *et seq.*

23 8. While engaging in the acts and practice alleged above, Defendant BRENT FORD
24 acted willfully as defined by A.R.S. § 44-1531(B).

1 **ORDER**

2 Based on the above and for good cause, the court orders as follows:

3 1. Pursuant to A.R.S. § 44-1528(A), Defendant Ford, and his officers, agents,
4 servants employees, attorneys, and all other persons who are in active concert or participation
5 with him, are permanently enjoined from engaging in, directly or indirectly, any activities
6 relating to landscaping construction services while in the State of Arizona or to any Arizona
7 consumer.

8 2. Pursuant to A.R.S. § 44-1528(A), Defendant Ford shall comply with the Arizona
9 Consumer Fraud Act, as it is currently written or as amended in the future, to the extent such
10 Act applies to any of his activities in the State of Arizona.

11 3. Pursuant to A.R.S. § 44-1528(A)(2), the State is awarded judgment against
12 Defendant Ford, in the amount of \$89,599 with interest at the prime rate plus 1% each year
13 pursuant to A.R.S. § 44-1201(B) until paid, as consumer restitution.

14 4. Pursuant to A.R.S. § 44-1531, the State is awarded judgment against Defendant
15 Ford in the amount of \$100,000 with interest at the prime rate plus 1% each year pursuant to
16 A.R.S. § 44-1201(B) until paid, as civil penalties.

17 5. Pursuant to A.R.S. § 44-1534, the State is awarded judgment against Defendant
18 Ford, in the amount of \$ 6,162.00, with interest at the prime rate plus 1% each year pursuant to
19 A.R.S. § 44-1201(B) until paid, as attorneys' fees and costs.

