



Law

Jury awards \$426K in car buyer's lawsuit

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A Glen Burnie woman has obtained a \$426,100 verdict against Baltimore-based Foreign Motors Inc. for selling a used car as new — and for causing her emotional distress when she attempted to have the car repaired.

A six-person jury in Baltimore deliberated approximately four hours before handing down the verdict in Loleta Easton's favor Tuesday afternoon, said Easton's attorney, Peter A. Holland.

"She feels like the jury spoke the truth," said Holland, who called it one of the most outrageous car fraud cases he's ever seen. "The jury understood that selling a used car as new is wrong. And adding negative equity to the sales price is wrong. And threatening the customer with arrest when she is trying to get her car repaired is wrong."

But Foreign Motors' owner Scott Donahoo and his lawyer, Price O. Gielen, expressed confidence that either the trial judge or the Court of Special Appeals will eventually throw out the judgment.

"I've been in business a long time and we don't defraud customers," Donahoo said. "We feel that the jury has made an error."

Gielen said that the jury did not follow instructions as to what constitutes a Consumer Protection Act violation.

"Scott Donahoo and his companies operate in a very ethical manner," Gielen said. "They care about their customers and treat them well."

Two hundred thousand dollars of the verdict, Gielen said, stemmed from Easton's altercation with an employee who no longer works at the dealership. And some of the counts were duplicative, so any actual award would be reduced by at least \$100,000, he said.

The trial, in Baltimore City Circuit Court, began Jan. 23 before Judge Althea M. Handy.

Undisclosed sale

In May 2005, Easton purchased a 2005 Suzuki Forenza from the dealership, in the belief that the car was new. Several weeks after the purchase, she found a prior customer's temporary tag registration in the glove compartment of the car, her attorney said.

The vehicle, which had apparently been purchased before and returned, had 596 miles on it, her attorney noted. But "there were no disclosures that it had ever been sold to another customer," Holland said.

The car also broke down less than a month after Easton's purchase, her attorney said. When Easton brought the car to Foreign Motors, she got into a dispute with an employee, who allegedly threatened to call police and have her arrested for trespassing.

As for the car, it was moved off the dealership lot to a tow-away zone on the street, though it could not be driven, Easton's initial suit states.

On the fraud count, the jury awarded \$35,000 in economic damages and \$75,000 in punitive damages. On a Consumer Protection Act count regarding the car's use, it awarded \$8,000 in economic damages and \$100,000 in non-economic damages.

It also awarded \$200,000 in non-economic damages on a Consumer Protection Act count in connection with the moving of the plaintiff's disabled car.

The jury also awarded \$8,100 for the dealership's inclusion of negative equity in the purchase price of the car. Since the plaintiff's trade-in was worth \$3,500, with \$8,100 needed to pay off the lien, the defendants listed the value of the trade-in as \$8,100 and tacked the \$4,600 difference on to the price of the "new" car without telling Easton, Holland said.

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