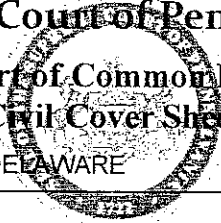


# Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet  
DELAWARE



County

For Prothonotary Use Only:

Docket No:

2015-9741

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

<b>Commencement of Action:</b>			
<input checked="" type="checkbox"/> Complaint	<input type="checkbox"/> Writ of Summons	<input type="checkbox"/> Petition	<input type="checkbox"/> Declaration of Taking
<input type="checkbox"/> Transfer from Another Jurisdiction			
Lead Plaintiff's Name: Commonwealth of PA - Office of Attorney General		Lead Defendant's Name: Lifestone By Stefan, LLC, et al.	
Are money damages requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Dollar Amount Requested: (check one) <input type="checkbox"/> within arbitration limits <input checked="" type="checkbox"/> outside arbitration limits	
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name of Plaintiff/Appellant's Attorney: Thomas J. Blessington, Senior Deputy Attorney General			
<input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)			

**Nature of the Case:** Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

SECTION B

<p><b>TORT</b> (do not include Mass Tort)</p> <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____ _____	<p><b>CONTRACT</b> (do not include Judgments)</p> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____ _____	<p><b>CIVIL APPEALS</b></p> Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____ _____
<p><b>MASS TORT</b></p> <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____ _____	<p><b>REAL PROPERTY</b></p> <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____ _____	<p><b>MISCELLANEOUS</b></p> <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input checked="" type="checkbox"/> Other: Complaint in Equity pursuant to Consumer Protection Law
<p><b>PROFESSIONAL LIABILITY</b></p> <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____ _____		

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY  
CIVIL TRIAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :  
Acting by the Pennsylvania Office of :  
Attorney General :                      Term, 2015  
: No.                       
  Plaintiff :  
  v. :  
LIFESTONE BY STEFAN, LLC : CIVIL ACTION –  
EQUITY :  
and doing business as Stefan Memorials :  
8501 North Lansdowne Avenue :  
Upper Darby, Pennsylvania 19082 :  
and :  
STEFAN MEMORIALS, INC. :  
8501 North Lansdowne Avenue :  
Upper Darby, Pennsylvania 19082 :  
and :  
GREGORY J. STEFAN, SR., individually, :  
and as an Officer of Lifestone by Stefan, LLC :  
and as President of Stefan Memorials, Inc. :  
and doing business as Stefan Memorials :  
8501 North Lansdowne Avenue :  
Upper Darby, Pennsylvania 19082 :  
Defendants :  
\_\_\_\_\_ :

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you, and a judgment may be entered against you without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Lawyers' Referral Service  
Front and Lemon Streets  
Media, PA 19063  
(610) 566-6625  
PA Bar Association: [www.pabar.org](http://www.pabar.org)

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de esta demanda expuesta en las siguientes páginas, usted tiene veinte (20) días a partir de la fecha en que la demanda y la notificación fueron servidas para tomar acción mediante la introducción de su apariencia, personalmente o a través de un abogado, y entregarle a la corte, en forma escrita, sus defensas o sus objeciones a los reclamos expuestos en contra de su persona. Sea avisado que si usted no se defiende o toma ninguna acción, puede que el caso o demanda en contra suya continúe, y puede que una decisión o resolución sea declarada en su contra sin previo aviso o notificación, por cualquier dinero reclamado en la demanda, o por cualquier otro reclamo o compensación solicitada por el/la demandante. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**USTED DEBE TOMAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA LISTADA A CONTINUACION ABAJO. ESTA OFICINA LE PUEDE PROPORCIONAR CON INFORMACION ACERCA DE COMO EMPLEAR A UN ABOGADO.**

**SI USTED NO TIENE DINERO PARA CONTRATAR O PAGAR UN ABOGADO, ESTA OFICINA PUEDE PROVEERLE INFORMACION ACERCA DE AGENCIAS QUE PUEDEN OFRECER SERVICIOS LEGALES A PERSONAS ELEGIBLES A UN HONORARIO O COSTO REDUCIDO, O GRATIS.**

Servicio de Referencia e Información Legal  
Front and Lemon Streets  
Media, PA 19063

(610) 566-6625

PA Bar Association: [www.pabar.org](http://www.pabar.org)

Thomas J. Blessington  
Senior Deputy Attorney General  
PA Attorney I.D. #36674  
Office of Attorney General  
Bureau of Consumer Protection  
21 South 12<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Philadelphia, Pennsylvania 19107  
215-560-2414  
*Attorney for Plaintiff*

**THIS IS NOT A COMPULSORY ARBITRATION  
CASE - This case has been brought by the  
Commonwealth of Pennsylvania under the  
Pennsylvania *Unfair Trade Practices and Consumer  
Protection Law*, 73 P.S. § 201-1, *et seq.*  
AN ASSESSMENT OF DAMAGES  
HEARING IS REQUIRED**

Thomas J. Blessington  
Senior Deputy Attorney General  
PA Attorney I.D. #36674  
Pennsylvania Office of Attorney General  
Bureau of Consumer Protection  
21 South 12<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Philadelphia, Pennsylvania 19107  
215-560-2414  
*Attorney for Plaintiff*

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY  
CIVIL TRIAL DIVISION**

<b>COMMONWEALTH OF PENNSYLVANIA</b>	:	
<b>Acting by the Pennsylvania Office of</b>	:	
<b>Attorney General</b>	:	
	:	_____ Term, 2015
	:	No. _____
	:	
<b>Plaintiff</b>	:	
v.	:	
	:	
<b>LIFESTONE BY STEFAN, LLC</b>	:	<b>CIVIL ACTION – EQUITY</b>
<b>and doing business as Stefan Memorials</b>	:	
<b>8501 North Lansdowne Avenue</b>	:	
<b>Upper Darby, Pennsylvania 19082</b>	:	
	:	
<b>and</b>	:	
	:	
<b>STEFAN MEMORIALS, INC.</b>	:	
<b>and doing business as Stefan Memorials</b>	:	
<b>8501 North Lansdowne Avenue</b>	:	
<b>Upper Darby, Pennsylvania 19082</b>	:	
	:	
<b>and</b>	:	
	:	
<b>GREGORY J. STEFAN, SR., individually,</b>	:	
<b>and as an Officer of Lifestone by Stefan, LLC</b>	:	

and as President of Stefan Memorials, Inc. :  
and doing business as Stefan Memorials :  
8501 North Lansdowne Avenue :  
Upper Darby, Pennsylvania 19082 :  
:  
Defendants :  
:  
\_\_\_\_\_ :

FILED  
2015 NOV 09 PM 9:31  
JULIE M. ...

COMPLAINT

AND NOW, comes the Commonwealth of Pennsylvania, by the Pennsylvania Office of Attorney General, through the Bureau of Consumer Protection, which brings this action on behalf of the Commonwealth of Pennsylvania pursuant to the provisions of the Pennsylvania *Unfair Trade Practices and Consumer Protection Law*, 73 P.S. § 201-1, *et seq.* (herein referred to as the “Consumer Protection Law”), to obtain injunctive relief, civil penalties, restitution and other equitable relief as authorized by law against Defendant Lifestone by Stefan, LLC and doing business as Stefan Memorials, and Defendant Stefan Memorials, Inc. and doing business as Stefan Memorials, and Defendant Gregory J. Stefan, Sr., individually, and as an Officer of Lifestone by Stefan, LLC, and as President of Stefan Memorials, Inc. and doing business as Stefan Memorials.

The Consumer Protection Law authorizes the Attorney General to bring an action in the name of the Commonwealth of Pennsylvania to restrain by temporary or permanent injunction unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful therein. The Commonwealth seeks restitution pursuant to Section 201-4.1 of the Consumer Protection Law. Additionally, the Commonwealth seeks appropriate civil penalties pursuant to Section 201-8(b) of the Consumer Protection Law for all violations of said Law, and other equitable relief as authorized by law.

The Commonwealth believes and therefore avers that Defendants willfully use, have willfully used and/or are about to willfully use, methods, acts, or practices complained of herein. The Commonwealth believes and therefore avers that its citizens are suffering and will continue to suffer harm unless the acts and practices set forth herein are enjoined. The Commonwealth believes and therefore avers that the public interest is served by seeking before this Honorable Court an injunction to restrain the methods, acts and practices complained of herein. In support of this action, the Commonwealth respectfully represents the following:

### **JURISDICTION**

1. This Court has original jurisdiction over this action pursuant to Section 931 of the Judicial Code, 42 Pa. C.S.A. § 931(a).

### **VENUE**

2. Venue lies with this Court pursuant to Pa. R.C.P. 1006 (c)(1).

### **THE PARTIES**

3. Plaintiff is the Commonwealth of Pennsylvania, by the Pennsylvania Office of Attorney General, through the Bureau of Consumer Protection (herein referred to as the “Commonwealth” and/or “Plaintiff”), with offices located at 21 South 12<sup>th</sup> Street, Second Floor, Philadelphia, Pennsylvania 19107.

4. Defendant Lifestone by Stefan, LLC (herein referred to as “Lifestone” and/or “Defendant” and/or collectively as one of the “Defendants”) is a Pennsylvania limited liability company registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations: Corporations Section (herein referred to as “Corporations Bureau”), with a registered office address of 8501 North Lansdowne Avenue, Upper Darby, Pennsylvania

19082 and which currently operates from 8501 North Lansdowne Avenue, Upper Darby, Pennsylvania 19082. Upon information and belief, Defendant Lifestone also does business as Stefan Memorials.

5. Defendant Stefan Memorials, Inc. (herein referred to as "Stefan Memorials, Inc." and/or "Defendant" and/or collectively as one of the "Defendants") is a Pennsylvania business corporation registered with the Corporations Bureau, with a registered office address of 66 Spring Avenue, Broomall, Pennsylvania 19008 and with one of its mailing addresses listed as Gregory J. Stefan, Sr., President, 8501 North Lansdowne Avenue, Upper Darby, Pennsylvania 19082. Defendant Stefan Memorials, Inc. does business as Stefan Memorials.

6. Defendant Gregory J. Stefan, Sr. (herein referred to as "Stefan" and/or "Defendant" and/or collectively as one of the "Defendants") is an adult individual, and upon information and belief, is a member of Defendant Lifestone by Stefan, LLC, and is the President of Stefan Memorials, Inc., and operates such businesses at 8501 North Lansdowne Avenue, Upper Darby, Pennsylvania 19082. Upon information and belief, Defendant Stefan also does business as Stefan Memorials.

#### FACTS

7. At all times relevant and material hereto, Defendants engaged in trade and commerce within the Commonwealth of Pennsylvania through advertising and conducting a business which included the sale of cemetery markers and memorials and related services to consumers, including, but not limited to monument and marker engraving and lettering.

8. Defendant Stefan exercised control over and participated in the day-to-day operations of Defendants, Lifestone and Stefan Memorials, Inc.



9. During all time periods relevant and material hereto, Defendant Stefan supervised, controlled, approved, authorized, ratified, benefited from and/or otherwise participated in the acts and practices described below herein which constituted violations of the Consumer Protection Law.

10. As set forth below, Defendants have engaged in a widespread deceptive business practice in failing to meet their promises to timely deliver cemetery markers and memorials to consumers who are in an especially vulnerable position as they are grieving the loss of a loved one.

11. During all time periods relevant and material hereto, Defendants solicited consumers by various methods, including, advertisements, a website, and by mailing to the families of decedents a solicitation for "Lettering & Cleaning In All Cemeteries" (herein referred to as the "Solicitation Form"). Such Solicitation Form is attached hereto and incorporated herein as Exhibit "A".

12. Upon information and belief, Defendants mailed the Solicitation Form to consumers who were identified by the Defendants as potential leads through obituaries. In many instances, Defendants sent the Solicitation Form to consumers with recently deceased relatives despite that fact that the consumer had not contacted the Defendants and did not request an "estimate" or any other information from Defendants.

13. The Solicitation Form is a fill in the blank form on which Defendants would handwrite some or all of the following: (a) the consumer's name and address, (b) the name of the funeral home, (c) the name of the cemetery, (d) the family name on memorial, and (e) the name, year born and year died to be inscribed on the memorial.

14. The Solicitation Form also states that the consumer should allow 10 to 12 weeks for completion, and would include the cost as well as check boxes for "MY CHECK ENCLOSED" and "PLEASE CHARGE TO: MASTER CARD, AMER. EXPRESS, VISA, DISCOVER", requesting the consumer's account number and expiration date.

15. Upon information and belief, given the deceptive nature of the Solicitation Form, certain consumers believed that the Solicitation Form which they received in the mail was an invoice or bill, and did not realize that it was an unsolicited price estimate which they had no obligation to pay.

16. Defendants used a contract form for lettering, engraving or memorials which stated:

"Please enter my/our order for a memorial with lettering as specified herein, subject to the rules and regulations of said cemetery and in accordance with the above described specifications and inscriptions. I/we understand the title of the memorial shall remain with Stefan Memorials until paid in full."

Such form stated two (2) options for delivery (a) Standard 24-28 weeks (weather contingent), and (b) Custom 32-40 weeks (weather contingent). The form also stated

"There is no agreement regarding this order other than contained herein and Stefan Memorials intend to be legally bound by this agreement. This order is subject to all delays caused by weather and any condition beyond the control of Stefan Memorials."

A redacted copy of this contract form is attached hereto and incorporated herein as Exhibit "B".

17. Defendants also used another contract form for lettering, engraving or memorials which also stated:

"There is no agreement regarding this order other than contained herein and Stefan Memorials intend to be legally bound by this agreement. This order is subject to all delays caused by weather and any condition beyond the control of Stefan Memorials."

A redacted copy of this contract form is attached hereto and incorporated herein as Exhibit "C".

18. In some circumstances, Defendants or their representatives implied or expressed to certain consumers that Defendants were affiliated, connected or associated with the cemetery in which the consumer's relative was buried when Defendants were not so affiliated, connected or associated.

19. The Defendants required a down payment or deposit upon contracting with consumers for cemetery markers or monuments. Payment was also requested by Defendants for lettering, engraving or cleaning when the Solicitation Form is returned to the Defendant.

20. The Defendants in most instances told consumers that lettering, inscriptions, markers or monuments that consumers had purchased would be completed and installed within a certain specified time frame, for example, as noted herein above. However, in certain instances, Defendants were significantly late in providing or delivering the services or the markers or memorials, or completely failed to provide the cemetery services or products ordered.

21. In certain instances, when consumers inquired about the delay, the Defendants provided misleading, confusing or false information, explanations and excuses.

22. Despite the fact that Defendants failed to perform the work contracted for with consumers in a timely manner as promised or provide the lettering, inscriptions, markers or monuments as promised, the Defendants, in certain instances, were either slow to provide a refund, or only provided a refund after numerous requests or complaints from various consumer protection agencies, including the Pennsylvania Office of Attorney General, Bureau of Consumer Protection (herein referred to as the "Bureau").

23. In certain instances, Defendants failed to comply with or follow through on

representations made to consumers regarding completion or delivery dates and refunds with regards to the goods and services contracted to be performed or delivered.

24. In some instances, Defendants provided memorials or lettering which were of a lesser quality than represented, or were defective, or were not properly installed.

25. In some instances, Defendants failed to provide timely refunds to consumers who were entitled to refunds.

26. The unlawful acts and practices complained of herein are and were carried out pursuant to Defendant, Stefan's direction and control, and Defendant Stefan directly participated in such unlawful acts and practices.

27. The Bureau has received numerous consumer complaints against Defendants' business practices. Examples of such complaints include, but are not limited to the following:

(a). Consumers from Malvern Pennsylvania met with Defendants on November 29, 2012 at which point they selected a headstone and agreed to a purchase price of Eight Thousand and 00/100 Dollars (\$8,000.00). At the instruction of Defendant Gregory Stefan, Sr., on December 7, 2012 consumers mailed a check made payable to Larry Stefan, Sr. As of August, 2015, almost three (3) years later, the headstone had still not been installed by Defendants.

(b). A consumer from Marlton, NJ purchased a headstone inscription service from Defendants on July 11, 2012 and paid Defendants Three Hundred Eighty-Nine and 00/100 Dollars (\$389.00). Defendants failed to perform the service for over a year. Defendants finally performed the service but in a shoddy manner. The consumer indicated that the day before her father's funeral, she received what she believed was a bill for Three Hundred Eighty-Nine and 00/100 Dollars (\$389.00) from Defendants, not realizing that it was not from the company with

which she had previously dealt.

(c). A consumer from Avondale, Pennsylvania purchased a forty-eight (48) inch headstone from Defendants for Eight Thousand and 00/100 Dollars (\$8,000.00) in April, 2012. When delivered, the headstone was too large to fit at the burial site. The new headstone provided by Defendants was not large enough to fit the design for which that the consumer originally paid. Defendants promised to resize the headstone at a reduced price of Six Thousand and 00/100 Dollars (\$6,000.00). After more than a year, the headstone was placed, but was incorrect. The error on the headstone was corrected by Defendants and the consumers were given the refund of the Two Thousand and 00/100 Dollars (\$2,000.00) difference approximately two months later.

(d). A consumer from Philadelphia, Pennsylvania purchased a headstone and ledger from Defendants on January 22, 2013 and paid Defendants Eight Thousand Five Hundred Thirty and 00/100 Dollars (\$8,530.00). Defendants assured the consumer that it would be shipped to Ashburn, Georgia by August, 2013. As of May, 2014, the headstone had not been delivered. The consumer believed she was overcharged and requested a refund. The headstone was eventually delivered and consumer received a refund of Six Thousand and 00/100 Dollars (\$6,000.00).

(e). A consumer from Mount Laurel, New Jersey purchased a headstone from Defendants on November 10, 2010 and paid Defendants Three Thousand Two Hundred Eighty-Six and 00/100 Dollars (\$3,286.00). Defendants did not deliver the headstone until more than a year later.

(f). A consumer from Sellersville, Pennsylvania purchased a bronze memorial plaque from Defendants on October 21, 2010 and paid Defendants Two Thousand Five Hundred Eight

and 00/100 Dollars (\$2,508.00). The consumer was told by Defendants that the memorial would be installed during the summer of 2011. As of February 3, 2012, the memorial had still not been installed, at which point, the consumer cancelled the order and demanded a refund. On or about February 29, 2012, the consumer informed the Defendants that the consumer decided to use a burial plot at another cemetery and again informed Defendants that the order was cancelled. Upon information and belief, no refund has been paid by Defendants.

(g). A consumer from Bensalem, Pennsylvania paid One Thousand and 00/100 Dollars (\$1,000.00) to Defendants for a grave stone in March, 2013. Consumer and her daughter made many calls to Defendants when grave stone was not delivered when promised. The grave stone was not delivered until after June 1, 2014.

28. Citizens of the Commonwealth are suffering and will continue to suffer irreparable harm unless the acts and practices complained of are enjoined.

29. The Commonwealth has reason to believe that Defendants have used, are using, or are about to use methods, acts or practices declared unlawful by Section 201-3 of the Consumer Protection Law.

30. The Commonwealth believes and therefore avers that there are additional consumers who have not filed complaints with the Bureau and have also been harmed due to the methods, acts and practices of Defendants, which include, but are not limited to, those as alleged herein.

31. The Commonwealth believes that the public interest is served by seeking a permanent injunction from this Honorable Court to restrain the methods, acts and practices of the Defendants. The Commonwealth believes that the public is suffering and will continue to suffer

harm unless the acts and practices complained of herein are permanently enjoined.

**COUNT I – VIOLATIONS OF THE CONSUMER PROTECTION LAW**

**DEFENDANTS LIFESTONE, STEFAN MEMORIALS, INC.  
AND STEFAN FAILED TO PROVIDE AND DELIVER GOODS  
OR SERVICES AS PROMISED TO CONSUMERS**

32. The averments and allegations of the preceding paragraphs are incorporated as though the same were more fully set forth herein.

33. The Defendants required a down payment or deposit upon contracting with consumers for cemetery markers or monuments. Payment was also requested by Defendants for lettering, engraving or cleaning when the Solicitation Form is returned to the Defendant.

34. In most instances, the Defendants told consumers that lettering, inscriptions, markers or monuments that consumers had purchased would be completed and installed within a certain specified time frame. However, in certain instances, Defendants were significantly late in providing or delivering the services or the markers or memorials, or completely failed to provide the cemetery services or products ordered.

35. In certain instances, when consumers inquired about the delay, the Defendants provided misleading, confusing or false information, explanations and excuses.

36. In certain instances, Defendants failed to comply with or follow through on representations made to consumers regarding completion or delivery dates and refunds with regards to the goods and services contracted to be performed and delivered.

37. In some instances, Defendants provided memorials or lettering which were of a lesser quality, or were defective, or were not properly installed.

38. In some instances, Defendants failed to provide timely refunds to consumers who

were entitled to refunds.

39. The aforesaid methods, acts or practices constitute unfair methods of competition and unfair acts or practices in the conduct of trade or commerce prohibited by Section 201-3 of the Consumer Protection Law, as defined by Section 201-2 of said Law, including, but not limited to, the following:

(a). Section 201-2(4)(ii), which prohibits “causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services”;

(b). Section 201-2(4)(v), which prohibits “representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation or connection that he does not have”;

(c). Section 201-2(4)(vii), which prohibits “representing that goods or services are of a particular standard, quality or grade, or that goods are of a particular style or model, if they are of another”;

(d). Section 201-2(4)(ix), which prohibits “advertising goods or services with intent not to sell them as advertised”; and

(e). Section 201-2(4)(xxi), which prohibits “engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding”.

40. The Commonwealth alleges that all of the practices described above were performed willfully. Accordingly, and pursuant to Section 201-8 of the Consumer Protection Law, the Commonwealth seeks the imposition of civil penalties of One Thousand and 00/100



Dollars (\$1,000.00) for each violation of the Consumer Protection Law, including enhanced civil penalties of Three Thousand and 00/100 Dollars (\$3,000.00) for each violation involving consumer victims age sixty (60) or older, in addition to other relief sought, as appropriate.

41. The Commonwealth believes that the public interest is served by seeking before this Court a permanent injunction to restrain the methods, acts and practices described herein, as well as seeking restitution for consumers and civil penalties for violations of the law. The Commonwealth believes that citizens of the Commonwealth are suffering and will continue to suffer harm unless the acts and practices complained of herein are permanently enjoined.

**WHEREFORE**, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue an Order:

A. Declaring Defendants' conduct to be in violation of the Consumer Protection Law;

B. Permanently enjoining Defendants and all other persons acting on their behalf, directly or indirectly, from violating the Consumer Protection Law and any amendments thereto, including, but not limited to:

1. Section 201-2(4)(ii), which prohibits "causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services";

2. Section 201-2(4)(v), which prohibits "representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation or connection that he does not have";

3. Section 201-2(4)(vii), which prohibits “representing that goods or services are of a particular standard, quality or grade, or that goods are of a particular style or model, if they are of another”;

4. Section 201-2(4)(ix), which prohibits “advertising goods or services with intent not to sell them as advertised”; and

5. Section 201-2(4)(xxi), which prohibits “engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding”.

C. Prohibiting Defendants from otherwise violating the Consumer Protection Law and any amendments thereto;

D. Directing Defendants to make full restitution pursuant to Section 201-4.1 of the Consumer Protection Law to all consumers who have suffered losses as a result of the acts and practices alleged in this complaint and any other acts or practices which violate the Consumer Protection Law;

E. Directing Defendants to pay to the Commonwealth civil penalties of One Thousand and 00/100 Dollars (\$1,000.00) for each instance of a violation of the Consumer Protection Law, and Three Thousand and 00/100 Dollars (\$3,000.00) for each instance of a violation of the Consumer Protection Law involving consumers aged sixty (60) or older as victims;

F. Requiring Defendants to pay the Commonwealth’s investigative and litigation costs in this matter; and

G. Granting such other general, equitable and/or further relief as the Court deems just and proper, including without limitation the appointment of a receiver pursuant to

Section 201-9 of the Consumer Protection Law.

**COUNT II – VIOLATIONS OF THE CONSUMER PROTECTION LAW**

**DEFENDANTS LIFESTONE, STEFAN MEMORIALS, INC.  
AND STEFAN SOLICITED CONSUMERS USING METHODS WHICH  
CREATED A LIKELIHOOD OF CONFUSION OR OF MISUNDERSTANDING**

42. The averments and allegations of the preceding paragraphs are incorporated as though the same were more fully set forth herein.

43. During all time periods relevant and material hereto, Defendants solicited consumers by various methods, including, advertisements, a website, and by mailing to the families of decedents the Solicitation Form. See Exhibit "A" which is attached hereto and incorporated herein.

44. Upon information and belief, given the deceptive nature of the Solicitation Form, certain consumers believed that the Solicitation Form which they received in the mail was an invoice or bill, and did not realize that it was an unsolicited price estimate which they had no obligation to pay.

45. In some circumstances, Defendants or their representatives implied or expressed to certain consumers that Defendants were affiliated, connected or associated with the cemetery in which the consumer's relative was buried when Defendants were not so affiliated, connected or associated.

46. The aforesaid methods, acts or practices constitute unfair methods of competition and unfair acts or practices in the conduct of trade or commerce prohibited by Section 201-3 of the Consumer Protection Law, as defined by Section 201-2 of said Law, including, but not limited to, the following:

(a). Section 201-2(4)(ii), which prohibits “causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services”;

(b). Section 201-2(4)(iii), which prohibits “causing likelihood of confusion or of misunderstanding as to the affiliation, connection, or association with, or certification by, another”;

(c). Section 201-2(4)(v), which prohibits “representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation or connection that he does not have”; and

(d). Section 201-2(4)(xxi), which prohibits “engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding”.

47. The Commonwealth alleges that all of the practices described above were performed willfully. Accordingly, and pursuant to Section 201-8 of the Consumer Protection Law, the Commonwealth seeks the imposition of civil penalties of One Thousand and 00/100 Dollars (\$1,000.00) for each violation of the Consumer Protection Law, including enhanced civil penalties of Three Thousand and 00/100 Dollars (\$3,000.00) for each violation involving consumer victims age sixty (60) or older, in addition to other relief sought, as appropriate.

48. The Commonwealth believes that the public interest is served by seeking before this Court a permanent injunction to restrain the methods, acts and practices described herein, as well as seeking restitution for consumers and civil penalties for violations of the law. The Commonwealth believes that citizens of the Commonwealth are suffering and will continue to

suffer harm unless the acts and practices complained of herein are permanently enjoined.

**WHEREFORE**, the Commonwealth of Pennsylvania respectfully requests that this Honorable Court issue an Order:

A. Declaring Defendants' conduct to be in violation of the Consumer Protection Law;

B. Permanently enjoining Defendants and all other persons acting on their behalf, directly or indirectly, from violating the Consumer Protection Law and any amendments thereto, including, but not limited to:

1. Section 201-2(4)(ii), which prohibits "causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services";

2. Section 201-2(4)(iii), which prohibits "causing likelihood of confusion or of misunderstanding as to the affiliation, connection, or association with, or certification by, another";

3. Section 201-2(4)(v), which prohibits "representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation or connection that he does not have"; and

4. Section 201-2(4)(xxi), which prohibits "engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding".

C. Prohibiting Defendants from otherwise violating the Consumer Protection Law and any amendments thereto;

D. Directing Defendants to make full restitution pursuant to Section 201-4.1 of the Consumer Protection Law to all consumers who have suffered losses as a result of the acts and practices alleged in this complaint and any other acts or practices which violate the Consumer Protection Law;

E. Directing Defendants to pay to the Commonwealth civil penalties of One Thousand and 00/100 Dollars (\$1,000.00) for each instance of a violation of the Consumer Protection Law, and Three Thousand and 00/100 Dollars (\$3,000.00) for each instance of a violation of the Consumer Protection Law involving consumers aged sixty (60) or older as victims;

F. Requiring Defendants to pay the Commonwealth's investigative and litigation costs in this matter; and


G. Granting such other general, equitable and/or further relief as the Court deems just and proper, including without limitation the appointment of a receiver pursuant to Section 201-9 of the Consumer Protection Law.

Respectfully Submitted,

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL  
BRUCE R. BEEMER  
*First Deputy Attorney General*

Date: 11-6-15

By:

  
THOMAS J. BLESSINGTON  
*Senior Deputy Attorney General*  
PA Attorney I.D. No. 36674  
Bureau of Consumer Protection  
21 South 12<sup>th</sup> Street, Second Floor  
Philadelphia, Pennsylvania 19107  
Telephone: (215) 560-2414

Facsimile: (215) 560 2494

Email: [tblessington@attorneygeneral.gov](mailto:tblessington@attorneygeneral.gov)

**VERIFICATION**

I, Michael D. Carroll hereby state that I am an Agent with the Pennsylvania Office of Attorney General, Bureau of Consumer Protection, and am authorized to make this verification on behalf of the Plaintiff in the within action. I hereby verify that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge or information and belief.

I understand that the statements contained herein are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

MICHAEL D. CARROLL  
(Print Name)

Michael D Carroll  
(Signature)

Date: 11-5-2015



**EXHIBIT "A"**



Monuments That Celebrate Life

Main Office & Plant  
8501 N. Lansdowne Avenue  
Upper Darby, PA 19082

**AUTHORIZED COMPANIES:**

- ALESSI MEMORIALS
- CARLEDGE MEMORIALS
- EASTON MEMORIALS
- GALLAGHER MEMORIALS
- HILLSIDE MEMORIALS

- JERSEY SHORE MEMORIALS
- KAEPLER MEMORIALS
- LIFESTONE BY STEFAN
- MCKINNEY MEMORIALS
- NEW BRITAIN MEMORIALS

- QUAKERTOWN MEMORIALS
- SHELLENBERGER MEMORIALS
- SO. PHILADELPHIA MEMORIALS
- STEFAN STUDIOS

1-800-331-5525 [www.lifestonebystefan.com](http://www.lifestonebystefan.com)

### Lettering & Cleaning In All Cemeteries

**Thank You!** For accepting this quotation for work to be done on your Cemetery Memorial.

Date \_\_\_\_\_

To \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (FUNERAL HOME)

Cemetery \_\_\_\_\_

(FAMILY NAME NOW ON MEMORIAL)

**THIS ESTIMATE IS FOR INSCRIBING:**

NAME

YEAR BORN

YEAR DIED

**THIS ESTIMATE FOR SAND ENGRAVED LETTERING ONLY...  
HAND-CUT, RAISED & SPECIAL LETTERING ARE AT SPECIAL RATE.**

Since 1843 we have performed monument lettering in all Cemeteries and we inspect all monuments prior to engraving to insure correctness of position and matching to the style of lettering.

If this proposal meets with your approval, please provide all the information you can and return in the enclosed envelope with your payment. Your order will receive our immediate attention and we shall send a prompt confirmation. **Thank You!**

(PLEASE FILL IN ALL INFORMATION)

NAME \_\_\_\_\_

RELATIONSHIP OF CUSTOMER TO LOT HOLDER \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

HOME PHONE \_\_\_\_\_ CELL \_\_\_\_\_

Email \_\_\_\_\_

**PLEASE ALLOW 10 TO 12 WEEKS FOR COMPLETION**

COST \_\_\_\_\_

PAYMENT \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(PRICE GUARANTEED 30 DAYS)

MY CHECK ENCLOSED

**PLEASE CHARGE TO:**

- MASTER CARD     AMER. EXPRESS
- VISA                 DISCOVER

Account # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

If a monument or marker is needed, check the box and return this estimate or give us call 1-800-331-5525.

**Retain Yellow Copy For Your Records**

**EXHIBIT "B"**

# LIFESTONE

by Stefan

Monuments that celebrate life

Corporate Office  
8501 N. Lansdowne Ave.  
Upper Darby, PA 19082  
Customer Service: 1-800-331-5525  
Future Cemetery Needs 1-877-6-STEFAN

Branch Office: Gallagher

Date: 3-8-2011

No. 022826

(Future inscriptions not included with this agreement)

On site engraving Family Name: [REDACTED] Preneed Lettering:       
LE: FF: RE:

ADD  
TO THE RT  
OF [REDACTED]  
ADD

[REDACTED]  
1936 - 2011

Cleaning  
 Resetting

Grade: Enlighten      Reflection      Devotion      Serenity      Lettering: Sand Engraved      Sand Kraft      Outlines      Other       
Line Carved      Contoured     

Material: Red Marker:       
Flush  Bevel      Slant     

Die      Top Shape      Front      Back      Top      End     

Base      Top:      Back:      Front:      Ends:      Pol Margin      Carbo Margin     

Cemetery Holy Sepulchre City: Pgh  
Section      Range      Lot      Grave      Loc on lot      Drawing Req.?       
     8 x 10      Full Size

Design:     

Customer: [REDACTED] Email:     

Address: [REDACTED] Cell #: [REDACTED]

City: Pgh State: PA Zip: [REDACTED] Home #:     

Please enter my/our order for a memorial with lettering as specified herein, subject to the rules and regulations of said cemetery and in accordance with the above described specifications and inscriptions. I/we understand the title of the memorial shall remain with Stefan Memorials until paid in full.

Lot Owner: [REDACTED] \*Deposits are Non-Refundable\* Included      Not Included     

Relationship: [REDACTED] Cemetery Charges: 30.00 Check # [REDACTED]

Funeral Director: Flexler Price: 915.00 Check # [REDACTED]

Ref: Yes      No      In full Check # [REDACTED]

Please allow for delivery:      Standard 24-28 weeks (Weather contingent)      Custom 32-40 weeks (Weather contingent)

This order is not subject to cancellation after acceptance.

There is no agreement regarding this order other than contained herein and Stefan Memorials intend to be legally bound by this agreement. This order is subject to all delays caused by weather and any conditions beyond the control of Stefan Memorials.

Please charge to: MC      Disc      Visa      Amex      Exp:     

Account #: [REDACTED]

By: [Signature] For:     

X: [REDACTED]  
(I certify spelling and dates are correct as shown)

FDLD      OBLD      NoLD      Crate:

**EXHIBIT "C"**

# LIFESTONE

by Stefan

Monuments that celebrate life

Main Office & Plant  
8501 N. Lansdowne Avenue  
Upper Darby, PA 19082

### AUTHORIZED COMPANIES

- CARTLEDGE MEMORIALS
- DECA TEACHER MEMORIALS
- NEW BRITAIN MEMORIALS
- CHADY MEMORIALS
- ALESSI MEMORIALS
- QUAKERTOWN MEMORIALS
- JERSEY SHORE MEMORIALS
- KAEPLER MEMORIALS
- MCKINLEY MEMORIALS
- SHELLENBERGER MEMORIALS
- LIFESTONE BY STEFAN
- EASTON MEMORIALS
- SO. PHILADELPHIA MEMORIALS
- STEFAN STUDIOS
- HILLSIDE MEMORIALS

1201578

1-800-331-5525 www.lifestonebystefan.com Date: 1/17/2013

Cemetery: St. Ignace Section: [REDACTED] Range: [REDACTED] Lot: [REDACTED] Grave: [REDACTED]

*pd on 1/17/2013  
M.C.  
BY C.K.S.  
2/12*

MAR 9, 1905  
APR 15, 2013

(Note: Future inscriptions not included with this agreement)

GRADE  Enlighten  Reflection  Devotion  Serenity Material

LETTERING:  Sand Engraved  Sand Kraft  Roman Outline  Other

Design:

MARKER  2.0 x 1.0 x 0.4 SLANT  2.0 x 0.10 x 1.4  3.0 x 0.10 x 1.4  Other

1.6 x 0.8 x 1.10  1.8 x 0.8 x 2.0  2.0 x 0.8 x 2.0  2.6 x 0.8 x 2.0  2.10 x 0.8 x 3.2  3.0 x 0.8 x 2.2  3.6 x 0.8 x 2.4  4.0 x 0.8 x 3.2  
 2.2 x 1.1 x 0.8  2.2 x 1.1 x 0.10  2.6 x 1.1 x 0.8  3.2 x 1.1 x 0.8  3.4 x 1.1 x 0.10  3.8 x 1.1 x 0.8  4.2 x 1.1 x 0.8  5.0 x 1.1 x 0.10

DIE FINISHES  POL. 2, BAL. ROCK  OTHER POL 5  SERP. TOP  OTHER

BASE FINISH  P.F.T. BK. SAWED BRP.  OTHER

Customer: [REDACTED] Home Phone: [REDACTED] Cell: [REDACTED]

Address: [REDACTED] Email: [REDACTED]

City: Phila State: PA Zip: [REDACTED]

Lot Owner: [REDACTED] Permit: [REDACTED] D.O.D.: [REDACTED]

Relationship of Customer to Lot Owner: [REDACTED] Funeral Director: [REDACTED]

STANDARD 24 TO 28 WEEKS FOR COMPLETION WEATHER CONTINGENT  
CUSTOM 32 TO 40 WEEKS FOR COMPLETION WEATHER CONTINGENT

PLEASE CHARGE TO:  MASTER CARD  VISA  AMERICAN EXPRESS

ACCOUNT # \_\_\_\_\_ Exp. Date \_\_\_\_\_

This order is not subject to cancellation after acceptance.

There is no agreement regarding this order other than contained herein and Stefan Memorials intend to be legally bound by this agreement. This order is subject to all delays caused by weather and any conditions beyond the control of Stefan Memorials.

By: [REDACTED] For: [REDACTED]

Cemetery Charges: 795.00 Ct. [REDACTED]  
Price: 5,142  
Paid: 3,602 Ct. [REDACTED]  
PA-N 1540-1100  
[REDACTED]  
[REDACTED]  
Balance must be paid prior to installation