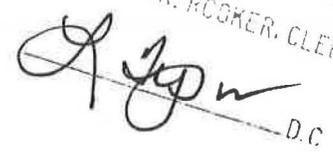


IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
FOR THE TWENTIETH JUDICIAL DISTRICT AT NASHVILLE

JUN 20 AM 9:34

RICHARD R. ROOKER, CLERK



STATE OF TENNESSEE, *ex rel.*)
Herbert H. Slatery III, Attorney)
General and Reporter,)
)
Petitioner,)
)
v.)
)
)
BENZ & CO. LLC, a Tennessee limited)
liability company,)
)
GARY BENZ, individually,)
)
and)
)
KRISTY COLLINS, individually,)
)
Respondents.)

Case No. 16C1661

PETITION

The State of Tennessee, by and through Herbert H. Slatery III, the Attorney General and Reporter (“Attorney General”), files this Petition pursuant to Tenn. Code Ann. § 47-18-107 of the Tennessee Consumer Protection Act (“Consumer Act”); and respectfully shows the Court as follows:

1. The Attorney General commenced an investigation into the Respondents pursuant to the Consumer Act, Tenn. Code Ann. § 47-18-101 *et seq.*, and the Unauthorized Practice and Improper Conduct Statute, Tenn. Code Ann. § 23-3-101 *et seq.* (“UPL Statute”), to determine whether Respondents had engaged in unlawful acts or practices in violation of the Consumer Act and the UPL Statute.

2. Based upon the investigation of Respondents, upon information and belief, the State of Tennessee alleges the following:

- A. Benz & Co. LLC (“Benz”) is a Tennessee limited liability company operating in Williamson County, Tennessee.
- B. Benz primarily offers services relating to the recovery of unclaimed property held by the State of Tennessee, and advertises such services.
- C. Gary Benz is Benz’s President and Founder.
- D. Kristy Collins is Benz’s Vice President of Operations.
- E. On or about July 22, 2015, Kristy Collins, in her capacity as Vice President of Benz, drafted and prepared a petition to probate the estate of Dr. Michael A. Petrone, Sr., for submission to the Seventh Circuit Court of Davidson County, Tennessee.
- F. On or about July 22, 2015, Kristy Collins, in her capacity as Vice President of Benz, appeared in the courtroom of Judge Randy Kennedy, Seventh Circuit Court, Twentieth Judicial District, as a “designated representative” of Michael A. Petrone, Jr.
- G. In open court, Judge Kennedy admonished Kristy Collins, informing her that she was engaging in the practice of law without proper licensure in violation of Tenn. Code Ann. §§ 23–3–101 and 103.
- H. From at least July 21, 2014, to February 2, 2016, Benz operated as an investigations company without being duly licensed pursuant to Tenn. Code Ann. § 62–26–204(a), thus misleading Tennessee consumers that it was licensed to perform the services for which it advertised.

3. After the investigation was completed, the Attorney General negotiated an Assurance of Voluntary Compliance (“Assurance”) in accordance with the provisions set forth in Tenn. Code Ann. § 47–18–107 with Respondents, and the Parties have agreed to the Assurance filed contemporaneously herewith.

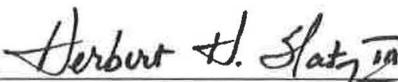
4. In accordance with the provisions of Tenn. Code Ann. § 47–18–107(c), the execution, delivery, and filing of this Assurance do not constitute an admission of prior violations of the Consumer Act except as expressly set forth in Tenn. Code Ann. § 47–18–109(d).

5. The Attorney General and Respondents have jointly agreed to the Assurance and Agreed Final Order and join in their filing.

PREMISES CONSIDERED, the State of Tennessee prays that:

1. This Petition be filed without cost bond pursuant to the provisions of Tenn. Code Ann. §§ 20-13-101 and 47-18-116.
2. The Assurance be approved and filed in accordance with the provisions of the Consumer Act.

Respectfully Submitted,



HERBERT H. SLATTERY III
Attorney General and Reporter
B.P.R. No. 9077



B. TRAVIS BROWN
Assistant Attorney General
B.P.R. No. 34164
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Attorneys for Petitioner, State of Tennessee

I hereby certify that this is a true copy
of original instrument filed in my office
this 20 day of JUNE 2016

RICHARD R. BOOKER Clerk
By 
Deputy Clerk