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FOR IMMEDIATE RELEASE

Harassed, Terrorized and Swindled, a Queens Man Sues Used Car Dealer

M & T Bank Also Charged with Fraud, Deceptive Practices and Other Violations Dealership Owner Charged with Assault

NEW YORK, NY, October 15, 2013 – Shahdat Tuhin, a 41-year-old Queens resident, filed suit on Friday in federal court, four months after attempting to purchase a used car from New York Motor Group LLC so he could more easily take his chronically ill daughter to and from the hospital.

“What should have been a routine transaction quickly turned into a nightmare,” said Ariana Lindermayer, an attorney at MFY Legal Services, who is representing Mr. Tuhin along with the Law Offices of Ahmad Keshavarz. “Over a period of several days in June 2013, New York Motor Group intentionally deceived, coerced, isolated, and exhausted Mr. Tuhin, who had never purchased a car before. These high-pressure sales tactics wore him down and led him to sign documents that the dealership did not allow him to first read.”

New York Motor Group, in Woodside, Queens, agreed to sell the car for \$12,000, and Mr. Tuhin signed a contract with this purchase price. “The New York Motor Group finance manager then rushed Mr. Tuhin through the signing of a series of documents, refusing to allow him to read them, covering the information on each page except for the signature lines, and lying that he would be on the hook for 35% of the purchase price if he did not complete the sale. When Mr. Tuhin got home he discovered that he had unknowingly signed documents that had doubled the price of the vehicle, and that included service contracts and insurance he had not agreed to purchase,” said Ms. Lindermayer.

Mr. Tuhin immediately contacted M&T Bank, the assignee of the financing agreement, and asked to cancel the fraudulent loan. But they repeatedly gave him the run-around, transferred his calls from department to department on multiple occasions, and refused to honor his lawful demand to cancel the loan. Under the law, M&T “stands in the shoes” of New York Motor Group, with whom it decided to do business, and is subject to the same claims. Mr. Tuhin then notified New York Motor Group that he had revoked his acceptance of the vehicle, but when he tried to return it, they refused to allow him on the lot and threatened him if he bothered them again.

In August, Mr. Tuhin and other community members who had been similarly swindled held a lawful, peaceful protest at the dealership. The owner attempted to run over the protesters with his car, and another employee turned a hose on them. In September, Mr. Tuhin successfully delivered the vehicle and keys to New York Motor Group and surrendered the license plates. He soon discovered the vehicle parked near his home, next to a fire hydrant, with his name and address

displayed on a sign inside the car. A representative of the dealership even went to his home and handed the car keys to his nine-year-old daughter.

The lawsuit, filed in the Eastern District of New York, charges both the dealership and M&T Bank with deceptive practices, fraud and breach of contract, as well as violations of the Truth in Lending Act and Regulation Z, and the Magnuson-Moss Warranty Act. It also charges Mamdoh Eltouby, the owner of New York Motor Group, with assault for attempting to run over Mr. Tuhin and others, and with an unnamed employee for battery. Mr. Tuhin is demanding revocation of the purported contract, actual and statutory damages, attorney's fees and expenses, and an injunction preventing the defendants from engaging in similar conduct again.

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