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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK ss.

SUPERIOR COURT DIVISION  
CIVIL ACTION NO. 2484CV00340

COMMONWEALTH OF MASSACHUSETTS	)
	)
Plaintiff,	)
v.	)
	)
CHAMPION FUNDING, INC.,	)
CHAMPION FUNDING, LLC.	)
JUDGMENT ACQUISITIONS UNLIMITED, INC.)	)
ANDREW METCALF, d/b/a	)
JUDGMENT ACQUISITION UNLIMITED	)
and	)
ANDREW METCALF, Individually	)
	)
Defendants.	)
	)

**MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Mass. R. Civ. P. Rule 65(a), the Commonwealth of Massachusetts by and through its Attorney General, Andrea Joy Campbell (the "Commonwealth"), hereby requests that this Court issue a preliminary injunction. The Commonwealth seeks the requested relief in order to protect consumers from the Defendants' continued use of unfair and deceptive debt collection practices in violation of G.L. c. 93A. A proposed order is filed herewith. Pursuant to Superior Court Rule 9A(c)(3), the Commonwealth respectfully requests a hearing on this motion.

In support of this motion, the Commonwealth submits the accompanying Memorandum in Support of Motion for Preliminary Injunction. As set forth in the accompanying Memorandum, the Commonwealth has met the standards for the issuance of a preliminary injunction because it has shown: (1) a likelihood of success on the merits in the underlying action, and that (2) issuance of a preliminary injunction will promote the public interest.

WHEREFORE, the Commonwealth respectfully requests that this honorable Court grant the following relief:

1. Issue a Preliminary Injunction enjoining Defendants and their officers, agents, servants, employees, attorneys, successors, and assigns, and all other persons and entities, whether acting individually or in active participation or concert with them, directly or indirectly, through any corporation, trust, or other device, who received actual notice of the Order, from:

- a. Selling at auction any motor vehicle seized from a Massachusetts consumer, currently in the possession of the Defendants or in the possession of their agents or attorneys;
- b. Seizing, or directing their agents to seize, any motor vehicle from a Massachusetts consumer;
- c. Filing or appearing in any legal proceeding, including small claims court, without the representation of an attorney licensed to practice law in the Commonwealth of Massachusetts;

2. Order the Defendants to:

- a. Within five days of the Court issuing a Preliminary Injunction, provide to the Office of the Attorney General a list of all motor vehicles seized from Massachusetts consumers, currently in the possession of the Defendants or their agents. This list shall identify each vehicle by (1) make, model, and year, (2) VIN number if known, (3) the name, address, and phone number of the consumer from whom the vehicle was seized, (4) the docket number for the

court action associated with the execution, and (5) the date the vehicle was seized;

- b. Within ten days of the Court issuing a Preliminary Injunction, to return every motor vehicle that was seized from a Massachusetts consumer, currently in the possession of the Defendants or their agents, to the consumer from whom the vehicle was seized, at the Defendants' expense.

Respectfully submitted,

COMMONWEALTH OF MASSACHUSETTS

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

By:



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*Served via email*

February 9, 2024

COMMONWEALTH OF MASSACHUSETTS

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SUPERIOR COURT DIVISION  
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ANDREW METCALF, d/b/a )  
JUDGMENT ACQUISITION UNLIMITED )  
and )  
ANDREW METCALF, Individually )  
 )  
Defendants. )  
\_\_\_\_\_)

**[PROPOSED] PRELIMINARY INJUNCTION**

This matter having come to be heard by the Court on February \_\_\_\_\_, 2024, pursuant to Mass. R. Civ. P. Rule 65(a), it is hereby ORDERED that Defendants Andrew Metcalf, Champion Funding, Inc., Champion Funding, LLC, and Judgment Acquisitions Unlimited, Inc. and their officers, agents, servants, employees, attorneys, successors, and assigns, and all other persons and entities, whether acting individually or in active participation or concert with them, directly or indirectly, through any corporation, trust, or other device, who received actual notice of the Order, are enjoined from:

1. Selling at auction any motor vehicle seized from a Massachusetts consumer, currently in the possession of the Defendants or in the possession of their agents or attorneys;
2. Seizing, or directing others to seize, any motor vehicle from a Massachusetts consumer;

3. Filing or appearing in any legal proceeding, including small claims court, without the representation of an attorney licensed to practice law in the Commonwealth of Massachusetts;

The Defendants are further ordered to:

1. Within five days of this Order, provide to the Office of the Attorney General a list of all motor vehicles seized from Massachusetts consumers, currently in the possession of the Defendants or their agents. This list shall identify each vehicle by (1) make, model, and year, (2) VIN number if known, (3) the name, address, and phone number of the consumer from whom the vehicle was seized, (4) the docket number for the court action associated with the execution, and (5) the date the vehicle was seized ;
2. Within ten days of this Order, return every motor vehicle that was seized from a Massachusetts consumer, currently in the possession of the Defendants or their agents, to the consumer from whom the vehicle was seized, at the Defendants' expense.


**SO ORDERED.**

**Dated:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, Colin Harnsgate, hereby certify that on February 9, 2024, I caused a true and correct copy of the foregoing Motion for Preliminary Injunction to be served upon counsel for the Defendants via email:

Brendan Pitts, Esq.  
Flavin Pitts, P.C.  
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[bpitts@flavinpitts.com](mailto:bpitts@flavinpitts.com)

  
\_\_\_\_\_  
Colin Harnsgate