

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30736
LANSING, MICHIGAN 48909

DANA NESSEL
ATTORNEY GENERAL

December 16, 2021

UPS Next Day Air

Jon Furdek
Planetary Toys, LLC d/b/a Treasure
Trove Toys

Dear Mr. Furdek:

Re: *Notice of Intended Action – Planetary Toys, LLC d/b/a Treasure Trove Toys*

This letter gives you notice of intended action in accordance with MCL 445.905(2) and provides you an opportunity to immediately cease and desist from engaging in the unlawful business practices described below.

As background, this Office is responsible for enforcement of the Michigan Consumer Protection Act, MCL 445.901 *et seq.* Under this Act, the Attorney General may investigate and pursue litigation to protect the interests of consumers.

We have learned that the Better Business Bureau (BBB) has received nearly ninety complaints regarding Treasure Trove Toys, which operates the website www.treasuretrovetoy.com. The website offers for sale various toys and collectibles, including the popular Funko Pop! figurines. You recently explained to an investigator from this Office that you operate this website and that it is an alias of your business, Planetary Toys, LLC.

The complaints demonstrate that the website routinely charges consumers for purchases, but then fails to send them the items purchased. Some consumers indicate that while they did receive an item, it was not the item they ordered but rather a less valuable item—such as an ordinary toy as opposed to a special edition toy. Very few complaining consumers have received a refund. The website listed an invalid address (622 Jefferson, Grand Rapids, MI 49508) and disconnected phone number. While you attempted to explain away these issues to our Office's investigator, this Office remains concerned about these business practices.

Based on the above, the Attorney General has probable cause to believe you are engaging in the following unfair trade practices made unlawful by the Act:

- (a) Causing a probability of confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services.
- (e) 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.
- (g) Advertising or representing goods or services with intent not to dispose of those goods or services as advertised or represented.
- (h) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity in immediate conjunction with the advertised goods or services.
- (q) Representing or implying that the subject of a consumer transaction will be provided promptly, or at a specified time, or within a reasonable time, if the merchant knows or has reason to know it will not be so provided.
- (u) Failing, in a consumer transaction that is rescinded, canceled, or otherwise terminated in accordance with the terms of an agreement, advertisement, representation, or provision of law, to promptly restore to the person or persons entitled to it a deposit, down payment, or other payment, or in the case of property traded in but not available, the greater of the agreed value or the fair market value of the property, or to cancel within a specified time or an otherwise reasonable time an acquired security interest.

[MCL 445.903(1).]

Please be advised that this Office plans to commence a formal investigation under MCL 445.907. In the meantime, please provide this office with assurance of voluntary compliance under the Act.

Jon Furdek
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These Grinch-like business practices are especially concerning during the holiday season, when many consumers are buying toys for children and loved ones. The three words that best describe them are as follows, and I quote, “stink, stank, stunk!”

Sincerely,



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KJB/aeb