

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30736  
LANSING, MICHIGAN 48909

DANA NESSEL  
ATTORNEY GENERAL

March 11, 2020

*Overnight Delivery*

A.M. Cleaning & Supplies L.L.C.  
[REDACTED]  
[REDACTED]

A.M. Cleaning & Supplies L.L.C.  
Registered Agent: Anthony Marshall  
4659 Washtenaw Ave.  
Ann Arbor, MI 48108

Dear A.M. Cleaning & Supplies L.L.C. and Anthony Marshall:

*Re: A.M. Cleaning & Supplies L.L.C.*

This letter gives you notice of intended action in accordance with MCL 445.905(2) and directs you 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 bring injunctive actions to protect the interests of consumers.

We have learned this week that your store used its Twitter account to advertise the sale of three different sized bottles of Purell at prices of \$60, \$40, and \$20. The posting offered the product at \$5 per gram, demonstrating these were 12, 8, and 4-ounce bottles respectively. Given the well-known fears surrounding Coronavirus, it is apparent your store was seeking to position itself to profit from an evolving public health emergency.

Subsequent to this posting, it is apparent that you withdrew the advertisement, presumably because of the negative reaction it generated. Our Office has received 9 complaints from consumers throughout the country about your advertisement. We anticipate many more consumers made their displeasure with your pricing known to you. We see that you have re-posted the same Purell bottles at prices of \$7.50, \$5, and \$2.50.

These facts implicate the following unfair trade practices, as identified in Michigan's Consumer Protection Act:

(z) Charging the consumer a price that is grossly in excess of the price at which similar property or services are sold.

March 11, 2020

(aa) Causing coercion and duress as the result of the time and nature of a sales presentation.

[MCL 445.903(1).]

We also observe that your business has a GoFundMe page seeking donations to help support your effort to offer “low” prices. We are skeptical about the propriety of seeking donations to support your for-profit business in this effort. And the statements on your GoFundMe page about the existence of reduced prices became false when you advertised Purell at exorbitant prices. This implicates the unfair trade practice of “(i) Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions.” MCL 445.903(1)(i). Fortunately, it appears you have not succeeded in obtaining any donations through this GoFundMe effort.

The purpose of this letter is to put you on notice as required by the MCPA. From this point, this Office has the latitude to either commence a lawsuit after ten days or invoke a judicial process for a formal investigation through subpoenas. While we are prepared to follow one or both of these paths, we are willing to enter into an assurance of voluntary compliance—a device anticipated in the MCPA. We see today a new posting on your website walking back the Twitter advertisement as a mistake. We perceive this means there is regret; now we want to work with you on appropriate redress.

Please contact us soon to schedule a meeting to be held on, or before, March 23, 2020. You are welcome and encouraged to consult with, and be accompanied by, an attorney for this discussion.

We look forward to hearing from you soon.

Sincerely,



Darrin F. Fowler  
Andrea Moua  
Assistant Attorneys General  
Corporate Oversight Division  
(517) 335-7632

DFF/cms