

STATE OF MICHIGAN  
IN THE 39<sup>TH</sup> JUDICIAL CIRCUIT COURT FOR THE COUNTY OF LENAWEЕ

DANA NESSEL, ATTORNEY GENERAL  
OF THE STATE OF MICHIGAN, *ex rel*  
The People of the State of Michigan,

Petitioner,

v

RYAN THOMPSON d/b/a FALLEN  
TIMBERS,

Respondent.

No.

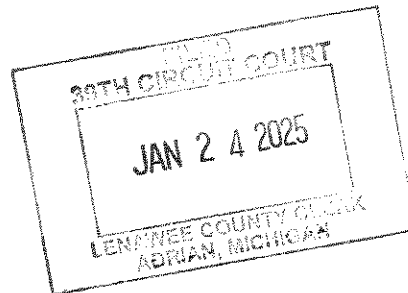
25-7507-CZ

HON.

HONORABLE  
MICHAEL R. OLSAVER

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ATTORNEY GENERAL'S *EX PARTE* PETITION FOR CIVIL  
INVESTIGATIVE SUBPOENAS

*There is no other pending or resolved civil action arising out of the same  
transaction or occurrence as alleged in the petition.*

INTRODUCTION

According to the American Veterinary Medical Association, dogs are the most  
popular pet in the United States, and consumers owning dogs spend an average of

\$580 on veterinary care per household per year.<sup>1</sup> It's no surprise then that consumers purchasing a puppy expect the dog to come with a clean bill of health. Consumers might be assured when the seller provides veterinarian records showing the dog has been examined and is healthy. But how does a consumer know that these records are true and accurate? The facts described in this Petition demonstrate that consumers should be wary and verify veterinarian records before purchasing a pet.

But for those consumers that trusted the seller and did not verify veterinarian records, the Michigan Consumer Protection Act, MCL 445.901 *et seq.* (MCPA) provides protection. The MCPA prohibits sellers of goods, including dog breeders, from providing falsified information in connection with a sale. Thus far, the Attorney General has uncovered at least three instances where Respondent Ryan Thompson provided falsified veterinarian records when selling puppies to consumers. Because there is probable cause to believe Thompson violated the MCPA, the Attorney General seeks authority to initiate a formal investigation to better understand Thompson's business practices and identify all consumers that were provided false documentation or that were otherwise adversely affected.

#### **PARTIES, LEGAL AUTHORITY, AND VENUE**

1. The Michigan Attorney General is authorized to file an *ex parte* petition with the circuit court requesting issuance of an investigative subpoena under section 7 of the MCPA, MCL 445.907, which provides in pertinent part:

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<sup>1</sup> <https://www.avma.org/resources-tools/reports-statistics/us-pet-ownership-statistics>

Upon the *ex parte* application of the attorney general to the circuit court in the county where the defendant is established or conducts business or, if the defendant is not established in this state, in Ingham county, the circuit court, if it finds probable cause to believe a person has engaged, is engaging, or is about to engage in a method, act, or practice which is unlawful under this act, may, after an *ex parte* hearing, issue a subpoena compelling a person to appear before the attorney general and answer under oath questions relating to an alleged violation of this act. . . . The subpoena may compel a person to produce the books, records, papers, documents, or things relating to an alleged violation of this act. MCL 445.907(1).

2. The Attorney General has probable cause to believe that acts or practices defined as unlawful under the MCPA have occurred and continue to occur, as set forth below.
3. Respondent Ryan Thompson is a resident of Lenawee County.
4. Respondent operates a dog-breeding business that operates under the names Fallen Timbers, Fallen Timbers Boxers, and Fallen Timbers Bulldogs.
5. None of these business names are registered with the Department of Licensing and Regulatory Affairs' Corporations Division.
6. Lenawee County is an appropriate venue for this Petition.

#### FACTUAL ALLEGATIONS

7. In November 2024, consumer Amy [REDACTED] of Woodville, Ohio, filed a consumer complaint with the Attorney General alleging that she paid Fallen Timbers Boxers in Morenci, Michigan, \$1500 for a four-month-old boxer puppy about two months earlier. She had found the business via a Facebook page. (Amy Complaint and Contract, **Attachments 1 and 2.**)

8. Amy's contract with Fallen Timbers, signed by Respondent, provided the following "Health Guarantee." Notably, the word "none" was written on a blank regarding the dog's health conditions.

The seller certifies that, upon receipt, the dog is in good health and has been immunized and wormed according to the accompanying health record of said Boxer. This dog has the following conditions now [none] and those conditions are excluded from any guarantee and is not valid to reject the puppy due to these conditions.

The buyer agrees to have the dog examined by your veterinarian at your expense within 3 days from date of purchase. If the veterinarian does not give the dog a clean bill of health, buyer must notify the seller immediately. Seller reserves the right to have the dog re-examined by our veterinarian at our cost. Any condition that is minor, correctable or a breed related minor condition is not covered and no condition which could go away, or is considered to be a condition which a puppy will likely grow out of is covered.

If the dog is then found not to be in good health, Seller will resume possession if this is agreeable to both parties. Seller does not accept responsibility for contagious disease diagnosed after 3 days from date of purchase. Your dog has been tested and examined for many conditions to assure his/her health. Heat stroke, exhaustion, dehydration and other heat related conditions are not covered in any way. Remember that a Boxer can overheat quickly and easily and may die as a result of overheating. He/She must be an indoor dog. (Attachment 2.)

9. Shortly after paying Fallen Timbers, Amy received photographs of what appeared to be a healthy puppy. (Attachment 1 and Attachment 3, Amy/Thompson Facebook messages.)
10. Amy picked up the puppy on October 25, 2024, and was shocked by the puppy's appearance; the puppy appeared to be in poor health. (Attachment 1.)

11. The owner of Fallen Timbers, Respondent, assured Amy that the puppy was healthy and provided what appeared to be records from Hillcrest Veterinary Clinic dated October 7, 2024, and signed by Dr. Sherri Bowers, DVM. (**Attachment 1** and **Attachment 4**, 10/7/24 Hillcrest Records from Thompson.)
12. Amy suspected the puppy was not healthy but thought it best to bring the puppy home because of Respondent's home's conditions—she observed at least six or seven other dogs in the home. (**Attachment 1**.)
13. Amy promptly took the lethargic puppy to High Point Animal Hospital in Whitehouse, Ohio, where Dr. Kim Fanning, DVM, confirmed the puppy had a respiratory infection and that her stool sample was positive for coccidiosis, giardia, and cryptosporidiosis. Dr. Fanning prescribed multiple medications. (**Attachment 1** and High Point Records, **Attachment 5**.)
14. Amy also called Dr. Bowers at Hillcrest Veterinary Clinic, who informed Amy that she had not examined the puppy in question. When Amy described the paperwork she had received from Respondent, Dr. Bowers was surprised. (**Attachment 1**.)
15. Amy then emailed Respondent and asked why he provided fake veterinarian papers; Respondent asked Amy to call him. (Amy/Thompson emails, **Attachment 6**.) When Amy called Respondent, he yelled and screamed at her, called her vulgar names, and demanded she return the puppy to him. Amy refused to return the puppy and informed him that she would be

reporting him to the Better Business Bureau (BBB) and the American Kennel Club. (**Attachment 1.**)

16. Amy also posted about her experience on Facebook, at which time she was contacted by consumer Lisa [REDACTED] of Reese, Michigan, who stated she had a similar experience with Respondent in 2022.
17. Amy first filed a complaint with the BBB; a BBB employee later informed her that Respondent “verbally assaulted” a BBB employee and demanded Amy’s complaint be taken down from the BBB website.
18. Amy then filed a complaint with the Attorney General’s office. The complaint was referred to the Corporate Oversight Division, at which time Special Agent Martin May initiated an informal investigation.
19. SA May spoke with Amy via telephone on December 20, 2024, at which time Amy confirmed for SA May the details of her complaint. She also provided contact information for Lisa. (Incident RPT 02 for 2024-0418653-A, **Attachment 7.**)
20. SA May next reached out to Lisa via email. (Incident RPT 03 for 2024-0418653-A, **Attachment 8.**)
21. On December 21, 2024, Lisa emailed SA May the veterinary records she received from Respondent when she purchased an English bulldog puppy from him in 2022. (Lisa email, **Attachment 9.**) The records were from Fieldstone Veterinary Care in Jonesville, Michigan, were dated June 20, 2022, and were signed by Dr. Michael McGonigal, DVM. The records looked

very similar to the records Respondent provided to Amy. (6/20/22 Fieldstone records from Thompson, **Attachment 10**.)

22. Lisa also supplied a copy of her purchase contract with Respondent, which was dated June 23, 2022, and included a purchase price of \$3000. The contract included the same “Health Guarantee” as Amy’s contract with Respondent. (Lisa’s contract, **Attachment 11**.)
23. Lisa explained in her email that the puppy she purchased had a significant congenital defect when sold to her and that she could provide documents outlining the issue upon request. (**Attachment 9**.)
24. SA May emailed the veterinary records that Lisa supplied to Fieldstone Veterinary Clinic and requested that the clinic authenticate them. (Incident RPT 04 for 2024-0418653-A, **Attachment 12**.) The clinic’s practice manager, Sandra George, responded that “the report you attached is not a record provided by us, nor of the type we use.” Furthermore, George stated that “[w]e did not see Ryan Thompson or someone on his behalf on June 2, 2022 and did not examine an English bulldog puppy on that day.” (12/24/24 George email, **Attachment 13**.)
25. On January 10, 2025, Fieldstone Veterinary Care reached out to SA May via email. Attached to an email were what purported to be records from Fieldstone Veterinary Care/Michael McGonigal, DVM. These purported records were dated 12/5/22, concerned a dog named Yeti, and were extremely

similar to the records Respondent provided to Amy and Lisa. Fieldstone's staff also attached the following message to the email:

These notes were sent to us from Liberty Pet Hospital. These were given to the new owners of Yeti from the breeder Ryan Thompson. These records/forms included are not forms that we have ever generated/used. Note that Dr. McGonigal was out sick the week of 12-5-22. (1/10/25 Fieldstone email with attachments, **Attachment 14.**)

#### VIOLATIONS OF THE ACT

26. When a business represents that goods have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that it does not have, that business has engaged in an unfair, unconscionable, or deceptive business practice under the MCPA. MCL 445.903(1)(c).
27. Causing a probability of confusion or of misunderstanding as to the legal rights, obligations, or remedies of a party to a transaction is also an unfair, unconscionable, or deceptive business practice under the MCPA. MCL 445.903(1)(n).
28. Likewise, a business may not fail to reveal a material fact, the omission of which tends to mislead or deceive a consumer, and which fact could not reasonably be known by the consumer. MCL 445.903(1)(s).
29. Similarly, it is unlawful for a business to make a representation of fact or statement of fact material to the transaction such that a person reasonably believes the represented or suggested state of affairs to be other than it actually is. MCL 445.903(1)(bb).

30. SA May's reports and the associated evidence described above demonstrate Respondent's repeated provision of falsified veterinarian paperwork to consumers in connection with the sale of dogs. Such evidence provides probable cause that Respondent has violated MCL 445.903(1)(c), (s), and (bb).
31. Respondent's statements to consumer Amy when she called him regarding the falsified paperwork demonstrates probable cause that he has violated MCL 445.903(1)(n).

### **CONCLUSION AND RELIEF REQUESTED**

Based on the above, the Attorney General seeks authority to issue subpoenas to Respondent seeking documents sufficient to identify all consumers that have purchased dogs from him over the past five years. The Attorney General will then conduct an audit, at which time the Attorney General may also seek all veterinary and vaccination records for certain transactions. The Attorney General seeks to understand the scope of his business and whether there are additional consumers that have been provided false information in connection with the purchase of a dog. The Attorney General would seek this information both through issuing subpoenas duces tecum and through a subpoena seeking the sworn testimony of Respondent and, potentially, other appropriate representatives of Respondent's business. The Attorney General also seeks authority to issue additional subpoenas as necessary, depending upon the information uncovered during the course of the investigation. The Attorney General seeks this information as it is necessary for future enforcement of the MCPA to address the concerns described in this Petition.

Accordingly, the Attorney General respectfully requests authorization to issue subpoenas pursuant to the proposed order submitted as **Attachment 15**.

Respectfully submitted,

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