



**For Immediate Release  
May 1, 2008**

District Attorney, Nola Tedesco Foulston, announced today that the Consumer Fraud Division has entered into a consent judgment with America's Car-Mart, Inc. d/b/a Car-Mart of Wichita. The judgment provides for restitution to a consumer as well as the payment of civil fines and penalties in the amount of \$25,000.

The District Attorney alleged that Car-Mart violated the Kansas Consumer Protection Act when, with any car purchased by a consumer, the dealership effectively disclaimed any implied warranties and sold the vehicle "as is without warranty" except as provided by the express terms of a service contract purchased by consumers. This practice occurred in at least 179 consumer transactions and the District Attorney contended Car-Mart violated Kansas law because a supplier cannot generally disclaim implied warranties of merchantability or fitness for a particular purpose. Car-Mart did not admit to the alleged violations, but agreed to pay fines to avoid the uncertainty and costs of litigation.

The company also agreed to absolve one consumer's outstanding debt where the consumer purchased a vehicle and was charged approximately three and one half the times the N.A.D.A. retail value of the vehicle sold plus 19% interest for the financing of that vehicle. In addition, Car-Mart also charged the consumer \$350 for a service contract in order for the consumer to avoid the "as is" provisions of the contract.

America's Car-Mart, Inc. is an Arkansas corporation that conducted business as Car-Mart of Wichita, with its local office located in Sedgwick County at 400 North West Street, Wichita, Ks. Car-Mart of Wichita has since ceased its operations.

**For additional information on protecting yourself from these crimes, contact the Consumer Fraud and Economic Crimes Division of the District Attorney's Office at 660-3600 or go to the District Attorney's website at <http://sedgwickcounty.org/da> for helpful links.**

***Nola Tedesco Foulston***  
**District Attorney**  
**Eighteenth Judicial District of Kansas**