

**COMMONWEALTH OF KENTUCKY
48th JUDICIAL CIRCUIT
FRANKLIN CIRCUIT COURT, DIV.II
CIVIL ACTION NO: 25-CI-1107**

Electronically Filed

**COMMONWEALTH OF KENTUCKY *ex rel.* RUSSELL COLEMAN,
ATTORNEY GENERAL**

PLAINTIFF

vs.

DESIGN 1 GROUP, LLC, a Tennessee Limited Liability Company,

and

**WILLIAM “CHRIS” COLE, JENNINGS “BERT” COLE, and JAMES SHELTON,
individually and as officers of Design 1 Group,**

and

HOMESTAR SOLAR PROS, a Virginia Limited Liability Company

DEFENDANTS.

[PROPOSED] ORDER

This matter having come before the Court on the Attorney General’s Motion For A Temporary Restraining Order against the Defendants Design 1 Group, LLC, William “Chris” Cole, James Shelton, and Homestar Solar Pros, the Court hereby finds that Defendants are using, have used, or are about to use any method, act or practice declared by KRS 367.170 to be unlawful and that these proceedings are in the public interest. KRS 367.190(1).¹ Defendants unlawful conduct includes, without limitation, grossly misrepresenting the potential energy savings a solar

¹ As of the December 17, 2025 hearing on this matter, Defendant Jennings “Bert” Cole had not yet been served. The Court will reserve ruling on this matter as to Defendant Jennings “Bert” Cole until after service is complete.

power system² can provide, misrepresenting consumers' eligibility for tax credits, and engaging in various other misrepresentations in the course of selling solar power systems described herein, including by making misrepresentations relating to the financing of solar power systems. Defendants have also violated KRS 367.170 by refusing to meaningfully address consumer complaints. The Court further finds that William "Chris" Cole and James Shelton participated in or were aware of the unlawful acts committed and did nothing to prevent them. *Com. ex rel. Beshear v. ABAC Pest Control, Inc.*, 621 S.W.2d 705, 708 (Ky. Ct. App. 1981); *see also Com. ex rel. Cameron v. BG Treeman, LLC, et al.*, No. 23-CI-01106 at *1-2 (Warren Cir. Nov. 27, 2023); *Tenn. ex rel. Skrmetti and Comm. ex rel. Cameron v. Ideal Horizon Benefits, et al., LLC*, 2023 WL 2299570, at *9, n.5 (E.D. Tenn. Feb. 28, 2023).

Based on the evidence and argument presented, the Attorney General has made the requisite showing that "person[s] will suffer immediate harm, loss or injury from a method, act or practice prohibited by KRS 367.170" unless a TRO is granted. KRS 367.190(2). Therefore, the Attorney General's Motion is GRANTED and IT IS HEREBY ORDERED that:

1. Defendants are enjoined from engaging in unfair, false, misleading, or deceptive sales practices in violation of KRS 367.170, including, but not limited to:

a. Misrepresenting the potential energy savings and utility bill reduction a consumer can expect to receive through the purchase and installation of a solar power system;

² As used herein, the term "solar power system" refers to all solar-related items sold by the Design 1 Defendants, including the solar panel array itself as well as any solar hot water heaters and other system components.

b. Misrepresenting consumers' eligibility for any federal or state tax incentives associated with the purchase of a solar power system;

c. Misrepresenting the terms of consumers' loans (including when consumers' loan repayment obligations will begin), forging consumers' signatures on loan documents, using misrepresentations or coercion to cause consumers to execute documents from their lender that will trigger the consumers' loan repayment obligations, and engaging in any other unfair, false, misleading, or deceptive conduct related consumers' obtaining of financing to purchase solar power systems;

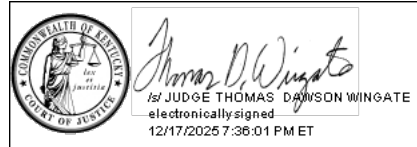
d. Refusing to provide contracted-for services related to the purchase and installation of a solar power system in a timely and professional manner; and

e. Threatening to take legal action against consumers who make bona fide complaints regarding Defendants' unlawful business practices.

2. Defendants are further prohibited from retaliating against any witness solely on the basis that the witness has provided truthful testimony to the Kentucky Office of the Attorney General, or any other governmental entity, or otherwise provides truthful testimony at any subsequent proceeding related to this matter. This prohibition against retaliation includes, but is not limited to, initiating pretextual litigation against any witness based on frivolous and meritless claims.

3. Any nondisclosure agreements between Defendants and a witness are declared void as a matter of public policy to the extent the agreement may be construed as prohibiting the witness from providing truthful information and complete and authentic documents to the KYOAG or otherwise giving truthful testimony in this matter.

4. Defendants are prohibited from contacting any witnesses in this matter without their consent or through judicially sanctioned procedures, such as a properly served subpoena.



Circuit Judge
Franklin Circuit Court

Date

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