



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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BOXING CLUB SUED FOR CONSUMER LAW VIOLATIONS

San Diego, CA: The San Diego Superior Court ordered the owners of City Boxing, a fitness club located at 1059 14th Street, in downtown San Diego to pay restitution, penalties and costs to settle a consumer protection case filed by the San Diego City Attorney's Consumer & Environmental Protection Unit.

The City Attorney's Office filed a civil complaint alleging that the owners of City Boxing made false and misleading statements to members of the public about memberships in the club. These statements included promises that memberships would be suspended or canceled if the member were deployed by the military away from San Diego. The Complaint also alleges that the club failed to have provisions in its contract that are required of every health club in California, giving the member five business days from the date he/she signs the contract, to cancel it for any reason.

Three members of the U.S. Navy complained to the City Attorney's Office that they had signed contracts with City Boxing with the understanding that they could either freeze the membership or cancel it if they were deployed. When they were deployed, the health club refused to stop billing them each month or refund the unused portion of their dues. As part of the settlement of the case, the owners of City Boxing paid restitution totaling \$2,089 to the complainants. The owners (City Boxing, Inc. and Mark Dion) also paid penalties and costs totaling \$7,911 for a total settlement amount of \$10,000. In addition, the Court ordered the owners of the club not to commit future similar violations.

Under the terms of the Judgment, former or current customers of City Boxing who cancel or rescind in the future or who have canceled or rescinded their health club memberships within the past four years in compliance with state law are entitled to restitution. Requests for a refund can be made to the San Diego City Attorney's Office at (619) 533-5600.

San Diego City Attorney Jan Goldsmith said "My office is committed to safeguarding the rights of the military members of our community in their business dealings. Anyone who has a consumer complaint involving events occurring in the City of San Diego is encouraged to contact our Consumer Hotline at (619) 533-5600."

For more information on the laws regulating health clubs in California, refer to the January Consumer Newsletter prepared by the City Attorney's Office at <http://www.sandiego.gov/cityattorney/pdf/cepunewsjan11.pdf>

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