

From: [Abrams, Jill](#)
To: [Henry Bator](#)
Subject: Public Records Request - DG Retail LLC
Date: Thursday, November 30, 2023 1:25:00 PM
Attachments: [Dollar-General-AOD-FILED \(1\).pdf](#)
[Ryan complaint_Redacted.pdf](#)
[061719 Ryan 2 \(ID 208935\)_Redacted.pdf](#)
[Business Response 07.22.2019_Redacted.pdf](#)
[2022-12-15 Dollar General email.pdf](#)
[2022 - Pricing Specialist Checklist.docx](#)

Hi Henry,

We searched for the documents outlined in my November 9, 2023 email. Responsive documents are attached.

If you feel information or records have been withheld in error, you may appeal in writing to Benjamin D. Battles, the Chief of the General Counsel and Administrative Law Division, at benjamin.battles@vermont.gov.

Jill

From: Henry Bator <HBator@rgrdlaw.com>
Sent: Monday, November 20, 2023 5:27 PM
To: Abrams, Jill <jill.abrams@vermont.gov>
Subject: RE: Public Records Request Form - DG Retail LLC

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you very much for the update. Have a nice Thanksgiving.

Best,

Henry

From: Abrams, Jill <jill.abrams@vermont.gov>
Sent: Monday, November 20, 2023 4:23 PM
To: Henry Bator <HBator@rgrdlaw.com>
Subject: RE: Public Records Request Form - DG Retail LLC

EXTERNAL SENDER

Hi Henry,

Yes, it's my understanding that we have documents which we will provide to you early next week. Hope you have a lovely Thanksgiving.

Jill

From: Henry Bator <HBator@rgrdlaw.com>
Sent: Monday, November 20, 2023 12:25 PM
To: Abrams, Jill <jill.abrams@vermont.gov>

Subject: RE: Public Records Request Form - DG Retail LLC

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Jill,

I hope you had a nice weekend. I am writing to ask if you have been able to determine whether there are materials responsive to my public records request, and if so, do you have an estimated timeline of production?

Thank you,

Henry

Henry S. Bator



200 31st Ave N
Nashville, TN 37203
(615) 244-2203



From: Abrams, Jill <jill.abrams@vermont.gov>
Sent: Thursday, November 9, 2023 12:04 PM
To: Henry Bator <HBator@rgrdlaw.com>
Subject: Public Records Request Form - DG Retail LLC

EXTERNAL SENDER

Hi Henry,

I write to confirm our conversation today regarding your public records request below. You indicated that your primary interest is in documents that relate to Dollar General's compliance with the terms of its settlement with the State of Vermont, namely employee hiring and training, and internal compliance actions. You also requested the settlement agreement (which is titled "Assurance of Discontinuance"), consumer complaints about Dollar General's pricing since 2021 and any failed inspection reports the Agency of Agriculture provided to the Attorney General's Office since the settlement.

As I told you, we agree to search for the documents described above. There is no charge for the first 30 minutes of review time but there is a charge of \$.45 per minute for time spent over 30 minutes. We will provide an estimate of the time it will take to do the review before we begin the review so that you can decide whether you'd like us to proceed. If it can be completed within 30 minutes, we will perform the review and provide the documents to you. I believe the review can be completed in

about 1 week which was satisfactory to you.

Please let me know if you have any questions.

Jill

From: vt-noreply@egov.gov <vt-noreply@egov.gov>

Sent: Monday, November 6, 2023 10:17 AM

To: AGO - Public Records Requests <AGO.PublicRecordsRequests@vermont.gov>

Cc: hbator@rgrdlaw.com

Subject: Webform submission from: Public Records Request Form

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Submitted on Mon, 11/06/2023 - 15:17

Submitted by: Anonymous

Submitted values are:

First Name

Henry

Last Name

Bator

Organization

Robbins Geller Rudman & Dowd LLP

Address

200 31st Ave N

Nashville, Tennessee. 37203

United States

Email

hbator@rgrdlaw.com

Phone Number

[615-982-8013](tel:615-982-8013)

Please describe the records you are requesting and provide as much specificity as possible, including applicable date ranges.

Pursuant to 1 V.S.A. § 315, I am requesting an opportunity to inspect or obtain copies of public records concerning In Re: DG Retail LLC, case number 301-6-19 (Vermont Superior Court, Washington Unit). Specifically, I am requesting the records within the Vermont Attorney General's

Office's Case File for the Dollar General Matter, including but not limited to records in the form of: complaints; correspondence; transactional documents; witness and/or evidence databases; communication with other agencies, law enforcement, or companies or persons being investigated; pre-suit subpoenas and responses; factual research; cease and desist orders; requests for substantiation of claims and responses; assurances of voluntary compliance; pleadings and orders; evidentiary materials; expert witness materials; discovery materials; trial preparation material; copies of financial records transcripts; and post-settlement compliance records.

Thank you for considering my request.

Sincerely,

Henry S. Bator

(615) 982-8013

Declaration (Required)

Yes

Date Submitted

2023-11-06

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NOTICE: This email message is for the sole use of the intended recipient(s) and may contain information that is confidential and protected from disclosure by the attorney-client privilege, as attorney work product, or by other applicable privileges. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

**STATE OF VERMONT
SUPERIOR COURT
WASHINGTON UNIT**

2019 JUN -6 A 8:17

IN RE: DG RETAIL, LLC d/b/a
"DOLLAR GENERAL STORES"

)
)
)
)

CIVIL DIVISION

Docket No. 201-6-19 Wicv

FILED

ASSURANCE OF DISCONTINUANCE

Vermont Attorney General Thomas J. Donovan, Jr. ("the Attorney General") and DG Retail, LLC d/b/a "Dollar General Stores" ("Respondent" or "Dollar General") hereby agrees to this Assurance of Discontinuance ("AOD") pursuant to 9 V.S.A. § 2459.

REGULATORY FRAMEWORK

1. Vermont's Weights and Measures law, Chapter 73 of Title 9 of the Vermont Statutes Annotated (the "Weights and Measures law"), requires accurate pricing for any sale of goods in a retail store.
2. The Weights and Measures law authorizes the Vermont Agency of Agriculture, Food, and Markets (the "Agency of Agriculture") to "test the accuracy and use of laser scanning and other computer assisted check-out systems in stores" and "compare the programmed computer price with the item price of any consumer commodity offered by a store." 9 V.S.A. § 2643(b).
3. It is a violation of the Weights and Measures law if "the programmed price of a commodity exceeds the price printed on or the advertised price of the commodity." 9 V.S.A. § 2643(b).
4. It is also a violation of the Weights and Measures law to misrepresent the price of any product sold or advertised for sale by weight, measure, or count. 9 V.S.A. § 2677.
5. A violation of the Weights and Measures law is considered an unfair or deceptive act or practice in commerce in violation of the Vermont Consumer Protection Act, Chapter 63 of Title

9 of the Vermont Statutes Annotated (the “CPA”), and subject to the penalty provisions contained in the CPA. *See* 9 V.S.A. § 2771 (providing that “[i]n addition to other penalties provided by law,” a violation the Weights and Measures law “shall constitute an unfair or deceptive act or practice in commerce subject to the penalty provisions established in” the CPA).

6. The CPA prohibits unfair and deceptive acts and practices in commerce. 9 V.S.A. § 2453(a).

BACKGROUND

7. Respondent DG Retail, LLC is organized under the laws of Tennessee, with its principal place of business located at 100 Mission Ridge, Goodlettsville, TN, 37072.

8. Respondent DG Retail, LLC is licensed to do business in the State of Vermont as a foreign limited liability company.

9. Respondent DG Retail, LLC operates 36 “Dollar General” retail stores in Vermont.

10. The Agency of Agriculture employs inspectors to fulfill its statutory duty to test the accuracy of scanners and other computer systems in Vermont’s retail stores to ensure that the programmed price of a product does not exceed the price posted on the shelf or product’s label (referred to hereinafter as a “price verification inspection” or “inspection”). If the programmed price exceeds the shelf or label price, this is known as an “overcharge error.”

11. Pursuant to 6 V.S.A. § 15 and 9 V.S.A. § 2643(b), the Agency of Agriculture may impose administrative penalties of up to \$1,000 for each overcharge error if an inspector identifies overcharge errors in more than two percent of the products sampled.

12. Additionally, pursuant to 6 V.S.A. § 15 and 9 V.S.A. § 2677, the Agency of Agriculture may impose administrative penalties of up to \$1,000 for each misrepresentation of price of any product sold or advertised for sale by weight, measure, or count.

13. In conducting price verification inspections, inspectors follow the method set forth in Section V of the National Institute of Standards and Technology's Handbook 130, as adopted by the National Conference on Weights and Measures. Section V of Handbook 130 is titled "Examination Procedure for Price Verification."
14. From October 14, 2013, to January 23, 2019, the Agency of Agriculture identified 362 overcharge errors during 56 price verification inspections at 22 different Dollar General stores.
15. The failed inspections occurred at the Dollar General stores located in the following Vermont towns: Alburg, Barre (three different stores), Berlin, Chester, Colchester (two different stores), Enosburg, Fair Haven, Fairlee, Island Pond, Milton (two different stores), North Troy, Northfield, Randolph, Richford, Rutland (two different stores), Williamstown, and Windsor.
16. Of the 362 overcharge errors, the Agency of Agriculture found that the programmed price of a single product in this group exceeded the shelf or label price of that product by an amount ranging from \$0.02 to \$6.00, with a median overcharge amount of \$0.35.
17. Since 2013, Dollar General has paid approximately \$241,700 in penalties to the Agency of Agriculture for overcharge errors.
18. Respondent has cooperated with the Attorney General's investigation into its pricing practices.
19. For purposes of this AOD, Respondent admits the truth of all facts set forth in the Background section.
20. The Attorney General alleges that the above conduct constitutes unfair and deceptive acts and practices under 9 V.S.A. § 2453.

INJUNCTIVE RELIEF

21. Respondent shall comply with all provisions of Vermont law, including the Vermont Consumer Protection Act, 9 V.S.A. Chapter 63, and Vermont's Weights and Measures law, 9 V.S.A. Chapter 73.
22. Respondent shall adopt a written set of pricing accuracy policies and procedures, attached hereto as Exhibit A (the "Pricing Accuracy Policy"), designed to ensure compliance with the pricing accuracy requirements contained in Vermont's Weights and Measures law, as well as compliance with this AOD. The Pricing Accuracy Policy shall be in effect for a period of three (3) years after its adoption.
23. Respondent shall submit for approval to the Vermont Attorney General any modifications or amendments to the Pricing Accuracy Policy while in effect.
24. All Dollar General employees working in Vermont stores who have pricing responsibilities shall participate in pricing training within 90 days of the execution of this AOD, and annually thereafter during the month of July, for a period of three (3) years. Additionally, all Store Managers hired after the execution of this AOD shall participate in pricing training within fourteen (14) days of commencing employment.
25. The trainings conducted pursuant to paragraph 24 shall include the following topics:
 - a. The pricing accuracy requirements contained in Vermont's Weights and Measures laws.
 - b. The Pricing Accuracy Policy and how to ensure that the correct prices are displayed and charged for all products sold at Vermont's Dollar General stores.
26. The Divisional Vice President, the Vermont Regional Director, and the Vermont District Managers working in Vermont stores shall be provided with:

- a. A copy of this AOD, and be required to read it, within 30 days of its execution;
- b. A copy of the Pricing Accuracy Policy, and be required to read it, within 40 days of the execution of this AOD; and
- c. Any modifications or amendments to the Pricing Accuracy Policy, within ten (10) days of adoption.

27. Respondent shall keep records of the training sessions conducted pursuant to paragraph 24 for a period of three (3) years from the date of training. The records shall include, but are not limited to, completion records, presentations, handouts, or other instruction materials.

28. Respondent shall conduct internal audits for a period of three (3) years such that all Vermont Dollar General stores are audited at least once per year. Internal audits shall include the random sampling of 100 items, including sale and non-sale items, at each Vermont Dollar General Store. Each audit shall generate a "Report" that includes the following:

- a. The store location and store number;
- b. The number of items sampled by the auditor;
- c. The total number of overcharge errors found by the auditor;
- d. For every overcharge error found,
 - i. The name of the item sampled and the corresponding UPC code;
 - ii. The lot size;
 - iii. The shelf price; and
 - iv. The scan or register price.

29. If an internal audit reveals overcharge errors in more than two (2) percent of the products sampled at any one store (a "failed audit"), Respondent shall immediately correct the pricing inaccuracies. Within ten (10) days of a failed audit, Respondent shall submit to the Attorney

General the Report of the failed audit and a corrective action plan describing how Respondent intends to prevent future pricing inaccuracies.

30. Respondent shall retain all Reports and other records of every internal audit for a period of three (3) years from the date of each audit, and produce all such Reports or records to the Attorney General upon request.

RESTITUTION AND PENALTIES

Respondent shall make a monetary payment of \$1,750,000.00 to be allocated:

31. Respondent DG Retail, LLC shall pay \$1,650,000.00 in civil penalties to the State of Vermont between July 1, 2019 and July 31, 2019. Respondent shall make payment by check to the "State of Vermont" and send payment to: Shannon Salembier, Assistant Attorney General, Office of the Attorney General, 109 State Street, Montpelier, Vermont 05609.

32. Respondent DG Retail, LLC shall pay \$100,000.00 on a *cy pres* basis to the Vermont Foodbank between July 1, 2019 and July 31, 2019. Respondent shall make payment by check to the "Vermont Foodbank" and send payment to: John Sayles, Vermont Foodbank, 33 Parker Road, Barre, Vermont 05641.

OTHER TERMS

33. Respondent DG Retail, LLC agrees that this AOD shall be binding on it, and its successors and assigns.

34. The Attorney General hereby releases and discharges any and all claims arising under the Vermont Consumer Protection Act, 9 V.S.A. Chapter 63, that it may have against DG Retail, LLC for the conduct described in the Background section of this AOD.

35. The Superior Court of the State of Vermont, Washington Unit, shall have jurisdiction over this AOD and the parties hereto for the purpose of enabling the Attorney General to apply

to this Court at any time for orders and directions as may be necessary or appropriate to enforce compliance with or to punish violations of this AOD.

36. Acceptance of this AOD by the Vermont Attorney General's Office shall not be deemed approval by the Attorney General of any practices or procedures of Respondent not required by this AOD, and Respondent shall make no representation to the contrary.

NOTICE

37. Respondent may be located at:

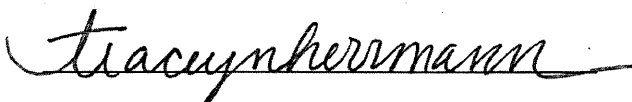
DG Retail, LLC
c/o General Counsel
100 Mission Ridge
Goodlettsville, TN, 37072

38. Respondent shall notify the Attorney General of any change of business name or address within 20 business days.

SIGNATURE

In lieu of instituting an action or proceeding against DG Retail, LLC, the Office of the Attorney General, pursuant to 9 V.S.A. § 2459, accepts this Assurance of Discontinuance. By signing below, Respondent voluntarily agrees with and submits to the terms of this Assurance of Discontinuance.

DATED at Goodlettsville, TN, this 29 day of May, 2019.



Authorized agent of DG Retail, LLC

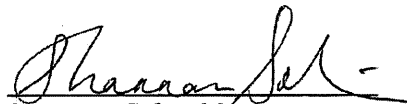
ACCEPTED on behalf of the Attorney General:

DATED at Montpelier, Vermont this 24th day of May, 2019.

STATE OF VERMONT

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

By:



Shannon Salembier
Justin Kolber
Assistant Attorneys General
Office of Attorney General
109 State Street
Montpelier, Vermont 05609
shannon.salembier@vermont.gov
justin.kolber@vermont.gov
(802) 828-5479

EXHIBIT A
PRICING ACCURACY POLICY

Store Responsibilities:

- Store Manager (“SM”) shall begin executing Super Tuesday pricing activities at 7:00 AM (eastern);
- SM shall scan all labels for Super Tuesday price changes prior to implementation;
- SM shall scan pricing on clearance and markdown stickers as part of Super Tuesdays activities;
- SM shall contact his/her District Managers (“DM”) upon completion of Super Tuesday price activities;
- SM shall monitor pricing of pre-priced products prior to placement on sales floor (e.g., pre-priced PDQs, stack-outs and individual products);
- SM shall discard or black-out pricing on PDQs at the conclusion of the pricing event;
- SM should walk the store with the Weights and Measure Inspector to better understand any pricing issue identified during the audit;
- SM shall send any Weights and Measures inspection reports to the appropriate personnel through Scan & Send;
- Upon fourteen (14) days of receiving his/her store, the SM shall complete Pricing Training via a computer based learning (“CBL”) and, upon thirty (30) days of receiving his/her store, the SM shall complete in-person Pricing Training. Such training shall include:
 - Pricing accuracy requirements contained in Vermont’s Weights and Measures laws;
 - Process for implementing price changes;
 - Correcting or remediating pricing issues;
 - Participating in the price verification inspection by the Agency of Agriculture;
 - Processing the Agency of Agriculture’s inspection reports;
 - Checking pre-priced product before placement on sales floor;
 - Removing pre-priced PDQs upon conclusion of a pricing event; and
 - This Pricing Accuracy Policy.

Field Leadership Responsibilities:

- DMs shall hold a conference call with all store managers each Tuesday at 11:00 (ET) to verify Super Tuesday execution and discuss any pricing issues;
- DMs shall ensure SMs receive (i) CBL Pricing Training upon 14 days of receiving his/her store and (ii) in-person Pricing Training upon 30 days of receiving his/her store;
- DMs shall (i) review exception based reporting re: stores that failed to print price change labels and (ii) follow-up with SM where necessary;

- DMs shall review the store's pricing binder when performing his/her store visit to ensure the store is timely and consistently executing price changes; and
- DMs, RD and DVP to hold weekly conference call to ensure stores are executing price changes.

Field Pricing Specialist:

- Dollar General shall employ at least four Field Pricing Specialist ("FPS") to perform weekly audits of all Vermont stores;
- The FPS shall verify Vermont stores are timely and consistently complying with Dollar General's pricing procedures;
- The FPS shall identify and investigate potential pricing issues in Vermont stores and assist the store in promptly resolving such issues (when applicable);
- The FPS shall providing coaching and recommendations on pricing execution to Vermont Stores; and
- The FPS shall report any pricing issues found at stores to the appropriate DM.

Pricing Specialist Checklist

- Clipboard Sign In
- Label Validation
 - (Verify product placement while checking)
- Have MOD "Check 10"
- Binder Validation
- Verify Tuesday START Tasks
 - (Clearance Tags/Seasonal MDs, etc.)
- Check Past Due Store POGs
- Check Past Due Driveline POGs
- Order Labels/Paper/Toner (if needed)
- Walk w/ MOD & Grade Recovery
- Take 5 Recovery/Store Photos
- Clipboard Sign Out

NOTES:

From: Kelly Collier <kcollier@dollargeneral.com>
Sent: Thursday, December 15, 2022 4:12 PM
To: Salembier, Shannon <Shannon.Salembier@vermont.gov>; Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Checking in

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Shannon,

I'm doing well and hope you are too. I was reaching out to share results from DG's most recent internal pricing audits. The audits were conducted during November 28 - December 2, and 15 out of 39 stores had pricing errors in excess of 2%. I believe the increase in pricing errors is attributable to a couple of factors, namely, a significant increase in price changes due to inflation (vendor cost increases) and turnover at the district manager and regional director levels. The pricing inaccuracies were immediately corrected and outlined below are the corrective measures DG is taking to prevent future inaccuracies:

- Additional labor is being provided to all 15 stores to scan every item in the store to ensure pricing accuracy;
 - From a training and accountability standpoint, the store manager, the district manager and the pricing specialist will all participate in the full store scans
- The pricing specialists will provide the district managers and regional director with a recovery score for each store (on a weekly basis) to ensure the store maintains recovery standards
- The lead pricing specialist will meet with the other pricing specialists (on a monthly basis) to train, support and ensure execution of their responsibilities
- The field leadership team also created the attached checklist for the pricing specialists to follow when working with stores

In addition, DG will continue to perform internal pricing audits for all Vermont stores in 2023. Please let me know if you have any question or would like to further discuss.

Thanks, Kelly

Kelly Collier | Dollar General
VP, Assistant General Counsel
615-855-5171
kcollier@dollargeneral.com

From: Salembier, Shannon <Shannon.Salembier@vermont.gov>
Sent: Tuesday, December 13, 2022 4:52:09 PM
To: Kelly Collier <kcollier@dollargeneral.com>
Cc: Kolber, Justin <justin.kolber@vermont.gov>
Subject: Checking in

EXTERNAL MESSAGE WARNING! Carefully inspect this message for indicators of phishing. **DO NOT** click links, open attachments, or take other actions in any untrusted or suspicious message.

Hi Kelly,

I hope you are well. I received a message from our Administrative Assistant that you are looking to connect. Please let me know how we can assist you.

Thanks,
Shannon

Shannon Salembier
Assistant Attorney General
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609
shannon.salembier@vermont.gov
(802) 828-5621

DOLLAR GENERAL

100 Mission Ridge
Goodlettsville, TN 37072

WRITER'S DIRECT DIAL: (615) 855-5171
WRITER'S FACSIMILE: (615) 855-5180
kcollier@dollargeneral.com

July 19, 2019

VIA EMAIL – AGO.CAP@VERMONT.GOV

Mollie Feeley
Consumer Advisor
Consumer Assistance Program
109 State Street
Montpelier, VT 05609

RE: Complaint of Mr. Sean Ryan concerning pricing issue

Ms. Feeley:

Dollar General Corporation (“Dollar General”) is in receipt of the Consumer Complaint Form of Mr. Ryan concerning Dollar General’s alleged mispricing of liquid soap. Dollar General takes the complaint of alleged pricing errors stated in your letter very seriously and we appreciate the opportunity to respond to the allegations.

Upon receiving Mr. Ryan’s initial complaint through the Better Business Bureau, the store manager called Mr. Ryan (multiple times) and left a voicemail requesting that he return to the store so we could “take care of this issue for [him]” and provide a refund. Unfortunately, it appears Mr. Ryan and the store manager kept missing each other, at which point Mr. Ryan filed a complaint with your office. (See Attachment 1.) After receiving your letter, we contacted the store’s District Manager, Eric Cardinal, and requested that he further investigate the matter. Mr. Cardinal indicated that it’s possible the initial pricing issue stemmed from a clearance item failing to properly ring up at the register. With respect to Mr. Ryan’s other pricing complaints, we believe the issue was caused by a customer misplacing the product (i.e., inadvertently putting the higher priced product back on the DG \$1 Deals shelf rather than back in the product’s home location). Even the picture provided by Mr. Ryan suggests the \$3.00 Studio Selection Foaming Bath was misplaced on the DG \$1 Deals shelf at the time Mr. Ryan tried to purchase the product. (Compare pictures in Attachment 1.) We have spoken with the Store Manager to reiterate the importance of accurate pricing, how to properly execute pricing activities and how to remediate pricing issues. In addition, we are providing Mr. Ryan with a gift card in the amount of \$10.00. Lastly, I would like to note that Store 13135 in Northfield, Vermont has passed two (2) audits performed by the Agency of Agriculture, Food and Markets this year.

Thank you in advance for your cooperation. Please do not hesitate to contact me if you have any questions.

Sincerely,



Kelly Collier

Vice President, Assistant General Counsel – Business

ATTACHMENT 1

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E. B. LONDON
CHIEF ASST. ATTORNEY
GENERAL



STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
PUBLIC PROTECTION DIVISION
TEL: 1-800-649-2424
FAX: (802) 304-1014

ADDRESS REPLY TO:
CONSUMER ASSISTANCE PROGRAM
109 State Street
Montpelier, Vt 05609
website: ago.vermont.gov/cap
e-mail: ago.cap@vermont.gov

RECEIVED

JUN 24 2019

June 18, 2019

Dollar General Corporation
Customer Support
100 Mission Ridge
Goodlettsville, TN 37072

Re: 2019-05339

Dear Sir/Madam:

Enclosed please find a copy of a complaint that our office received in reference to your company. Please review the complaint and respond to this office in writing regarding the concerns raised. Please include the above complaint number in your response.

The enclosed complaint and your response will become part of our permanent files. Complaint files are public record and, as such, are open to the public for inspection. Information is also used to determine when investigations should be initiated.

Thank you in advance for your anticipated cooperation and immediate attention to this complaint. We request a response within seven days of receipt of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Mollie Feeley".

Mollie Feeley
Consumer Advisor

Pfefferle, Kathryn

From: AGO CAP <ago.cap@vermont.gov>
Sent: Monday, June 17, 2019 12:44 PM
To: AGO - CAP
Subject: CAP Complaint
Attachments: 0129_001.pdf; DG_1_deals.jpg.jpg
Categories: Forwarded to Mont.

Respond to CAP

The following CAP complaint was submitted:

Your First Name	Sean
Your Last Name	ryan
Confirmation Number	WB19-00549
Your E-Mail Address	[REDACTED]
Your Daytime Phone	[REDACTED]
Daytime Phone Type	Mobile
Your Mailing Address	[REDACTED]
Your City	Northfield
Your State	VT
Your Zip Code	05663
Is your complaint about:	A retail store
Business Name or Person's First Name	Dollar General
Business Phone (1)	(802) 485-4839
Phone (1) Type	Office
Business Address	108 N Main
Business City	Northfield
Business State	VT
Business Zip Code	05663
Description	<p>I recently read that Dollar General settled with the state of Vermont for violating the state's Consumer Pricing Act by charging more for items than listed pricing.</p> <p>That settlement seemingly hasn't had an impact.</p> <p>In just the past two weeks I've had the Dollar General overcharge me on four different occasions.</p> <ul style="list-style-type: none">• A couple weeks ago I tried to purchase some liquid soap that was sitting on a shelf

	<p>marked \$1 Deals. It was among several bottles of the same item (thus wasn't likely merely misplaced by a customer). Yet at the register I was charged \$6 for that item. The store refused to honor the pricing when I told them of the discrepancy.</p> <ul style="list-style-type: none"> • Just this past week I tried to purchase some other liquid soap, again sitting on the shelf marked \$1 deals. It too was sitting with several bottles of the same soap, just not misplaced. Yet at the register I was charged \$3 for that item. Again, the first two times the store refused to honor the pricing. <p>Just yesterday (6/16/19), as it happened for the third time, I mentioned to the Cashiers that Dollar General had just agreed to pay the state that \$1.75 million for violations. The main Cashier just continued to argue with me, insisting first it must have been misplaced, then stating it was an error from upper management. He finally reluctantly did an override on that item to charge me the correct price.</p> <p>I took pictures of the item on the shelf, which is attached. I've also attached a copy of that receipt.</p> <p>I also currently have an open complaint with the Nashville, TN BBB over another pricing error from the same Dollar General. For an item listed as 70% off, with an original price of \$3.15, I was initially charged the full \$3.15. Prior to purchase, I asked two Clerks and confirmed the 70% off was off the listed price. After mentioning the discrepancy to the store Manager, he did a price override to \$2.00. That's not 70% off.</p> <p>Dollar General still refuses to make good on that stated discounted pricing despite my BBB complaint.</p> <p>I wanted to make you aware that the practice of overcharging is obviously still an issue.</p> <p>Thanks, Sean Ryan</p>
<p>How would you like this matter to be resolved?</p>	<p>Dollar General seemingly hasn't taken any action to resolve their pricing errors/scheme</p>
<p>Incident Date</p>	<p>6/16/2019 12:00:00 AM</p>

DOLLAR GENERAL STORE #13165
108 NORTH MAIN STREET
NORTHFIELD, VT 05663-6741
(802) 485-4839

TOOTSIE BUNCH PCP 8C E 1.00
07172000045-110 3.00 S
STS FOAM BATH ELCALY 3.00
072785135499-102 3.00-S
REGULAR PRICE 1.00 S
PRICE OVERRIDE
NEW PRICE
PRICE MATCH

SUBTOTAL \$2.00
Tax1 \$0.06
TOTAL SALE \$2.06
US DEBIT \$2.06
PIN VERIFIED

CHIP
PIN VERIFIED
AUTH# 395262
REFERENCE# 50002048456
AID# A000C000980840

ITEMS 2
2019-06-16 20:56:48 13165 02 8494



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DG \$1 DEALS

DG \$1 DEALS

DG

VISIBLY CLEAN

VISIBLY CLEAN

VISIBLY CLEAN

Picture of product provided by District Manager



Kelly Collier

Subject: FW: AG - VT FW: Store 13165 -
Attachments: doc02328620190701140150.pdf

From: Marsha Murrow <mmurrow@dollargeneral.com>
Sent: Monday, July 1, 2019 3:23 PM
To: Rhonda Taylor <rhtaylor@dollargeneral.com>
Cc: Kelly Collier <kcollier@dollargeneral.com>; Doug Fiehweg <dfiehweg@dollargeneral.com>
Subject: AG - VT FW: Store 13165 -

From: Eric Cardinal <ecardina@dollargeneral.com>
Sent: Tuesday, May 28, 2019 8:00 PM
To: Marsha Murrow <mmurrow@dollargeneral.com>
Cc: Sean Brooks <sbrooks@dollargeneral.com>
Subject: Re: Store 13165 - BBB Complaint

Yes ma'am I will

Sent from my iPhone

On May 28, 2019, at 8:57 PM, Marsha Murrow <mmurrow@dollargeneral.com> wrote:

Hello Eric,

At the bottom of this thread is a copy of my response to the BBB complaint contained in this email.

Immediately below is a copy of the customer's rebuttal. Although the customer told the BBB he could not see my response, will you please reach out to him to ensure this matter has been addressed and resolved?

Will you please let me know something by EOD Wednesday 5/29 so I can reply to the BBB?

Thank you,

Marsha Murrow
Customer Relations Supervisor
Dollar General Corporation

On May 20, 2019, the consumer provided the following information:

(The consumer indicated he/she DID NOT accept the response from the business.)
I originally filed a complaint directly with Dollar General on their web site, on or about April 8, 2019, prior to my complaint with the BBB.

I received a call from a Rob Lawrence on April 9, 2019 at 1:02 pm, stating:
"Hey Shawn, this is Rob calling from Dollar General. I am actually in the process of training the new store manager for the Northfield store, and I just got a copy of the issue that you had when you were here the other day, and I was trying to arrange a way to take care of it for you. So if you could give me a call back at the store. The phone number here is 802-485-4839. You can ask to speak to Robert Lawrence, and we will do our best to make sure that we can take care of this

issue for you. Thank you very much and enjoy the rest of your day."

I immediately called back and was told that Rob was not there.
I physically went to the store, and was told by the Clerk that I needed to work with Rob since he was the one that called.

I received another call from Rob later that day, on April 9, 2019.

Again, I immediately called back, had to speak to an extremely rude employee that told me Rob was not there, and that he was at the Berlin, VT store. She said she didn't have their phone number and refused to look it up, saying "you're gonna have to find that yourself".

I called the Berlin, VT store and was told that Rob was in the Northfield, VT store.

This is when I filed my complaint with the BBB, given the disaster of trying to deal with the inept management.

This is typical of the interactions, disorder, and unfriendliness of this Dollar General store.

Thus, this issue remains unresolved.
I refuse to deal with any more of their extremely rude/incompetent Clerks.

That refund needs to be mailed to me, as I've already wasted large amounts of time on this.

From: Eric Cardinal <ecardina@dollargeneral.com>
Sent: Monday, April 29, 2019 8:14 PM
To: Marsha Murrow <mmurrow@dollargeneral.com>
Cc: Sean Brooks <sbrooks@dollargeneral.com>
Subject: Re: Store 13165 - BBB Complaint

Marsha,

This issue was resolved. The customer Sean was contacted and we did have him return to honor his 70% off. This was a Clearance event that didn't scan in. However I will contact Sean one more time tomorrow just to confirm.

Sent from my iPhone

On Apr 29, 2019, at 8:46 PM, Marsha Murrow <mmurrow@dollargeneral.com> wrote:

Hello Eric,

We have received the complaint below via the BBB. Will you please look into this and contact the customer to address their concerns?
After you have spoken to the customer and resolved the issue, will you please let me know before the end of business Thursday 5/2 so I can respond to the BBB?

In addition, will you please let me know the following so I can include it in my response?

" How the issue was resolved
" If the customer was satisfied with the resolution

If I can further assist in any way, please let me know.

Thank you,

Marsha Murrow
Customer Relations Supervisor

NAME: Sean Ryan
DAY PHONE: [REDACTED]
ADDRESS: Northfield, VT
EVE PHONE: -
CELL PHONE: -
EMAIL: [REDACTED]

Consumer's Original Complaint :

Overcharged for items.
This is in regards to the Northfield, VT store, which was not listed/avail from dropdown on main site.
I purchased items on a clearance table marked 70% off.
I verified with the Cashier that it was 70% off listed price.
Price listed on item was \$3.15.
Cashier had to manually calculate discount but I was charged \$2.00.

\$2.00 is not 70% off \$3.15.

I should only have been charged \$0.945.

I tried to explain to Cashier they were calculating the discount wrong, but they argued with me.

Vermont has statutes against bait & switch tactics like this.
Pricing needs to be accurate.

Consumer's Desired Resolution:

I am seeking reimbursement of the overcharge.

May 13, 2019

Better Business Bureau of Middle Tennessee
Attn: Kathy Barrett
P.O. Box 198436
Nashville, TN 37219
Case # **37167153** - Customer: Sean Ryan

Dear Ms. Barrett:

Thank you for notifying us of the complaint from our customer regarding a clearance event at our store in Northfield, VT.

Upon receipt of this complaint our district manager confirmed our customer had been contacted and that his clearance prices had been honored.

We apologize for the customer's inconvenience and we are confident that this matter has been thoroughly investigated and addressed. Thank you for bringing this matter to our attention.

Sincerely,

Marsha Murrow
Customer Relations Supervisor
Dollar General Corporation

DOLLAR GENERAL STORE #13165
108 NORTH MAIN STREET
NORTHFIELD, VT 05663-6741
(802) 485-4839

TOOTSIE BUNCH POP 8C	E	1.00
07172000045-110		
STS FOAM BATH EUCALY		3.00 S
072785135499-102		
REGULAR PRICE		3.00
PRICE OVERRIDE		3.00-S
NEW PRICE		1.00 S
PRICE MATCH		

SUBTOTAL	\$2.00
Tax1	\$0.06
TOTAL SALE	\$2.06
US DEBIT	\$2.06

PIN VERIFIED

CHIP
PIN VERIFIED
AUTH# 395262
REFERENCE# 50002048456
AID# A000000980840

ITEMS 2
2019-06-16 20:56:48 13165 02 8494


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*

From: AGO CAP <ago.cap@vermont.gov>
Sent: Monday, June 17, 2019 12:44 PM
To: AGO - CAP
Subject: CAP Complaint
Attachments: 0129_001.pdf; DG_1_deals.jpg.jpg

Categories: Forwarded to Mont.

The following CAP complaint was submitted:

Your First Name	Sean
Your Last Name	ryan
Confirmation Number	WB19-00549
Your E-Mail Address	[REDACTED]
Your Daytime Phone	[REDACTED]
Daytime Phone Type	Mobile
Your Mailing Address	[REDACTED]
Your City	Northfield
Your State	VT
Your Zip Code	05663
Is your complaint about:	A retail store
Business Name or Person's First Name	Dollar General
Business Phone (1)	(802) 485-4839
Phone (1) Type	Office
Business Address	108 N Main
Business City	Northfield
Business State	VT
Business Zip Code	05663
Description	<p>I recently read that Dollar General settled with the state of Vermont for violating the state's Consumer Pricing Act by charging more for items than listed pricing.</p> <p>That settlement seemingly hasn't had an impact.</p>

In just the past two weeks I've had the Dollar General overcharge me on four different occasions.

- A couple weeks ago I tried to purchase some liquid soap that was sitting on a shelf marked \$1 Deals. It was among several bottles of the same item (thus wasn't likely merely misplaced by a customer).

Yet at the register I was charged \$6 for that item. The store refused to honor the pricing when I told them of the discrepancy.

- Just this past week I tried to purchase some other liquid soap, again sitting on the shelf marked \$1 deals. It too was sitting with several bottles of the same soap, just not misplaced.

Yet at the register I was charged \$3 for that item.

Again, the first two times the store refused to honor the pricing.

Just yesterday (6/16/19), as it happened for the third time, I mentioned to the Cashiers that Dollar General had just agreed to pay the state that \$1.75 million for violations.

The main Cashier just continued to argue with me, insisting first it must have been misplaced, then stating it was an error from upper management.

He finally reluctantly did an override on that item to charge me the correct price.

I took pictures of the item on the shelf, which is attached.

I've also attached a copy of that receipt.

I also currently have an open complaint with the Nashville, TN BBB over another pricing error from the same Dollar General.

For an item listed as 70% off, with an original price of \$3.15, I was initially charged the full \$3.15.

Prior to purchase, I asked two Clerks and confirmed the 70% off was off the listed price.

After mentioning the discrepancy to the store Manager, he did a price override to \$2.00.

That's not 70% off.

Dollar General still refuses to make good on that stated discounted pricing despite my BBB complaint.

I wanted to make you aware that the practice of overcharging is obviously still an issue.

Thanks,

██████████

How would you like this matter to be resolved?	Dollar General seemingly hasn't taken any action to resolve their pricing errors/scheme
Incident Date	6/16/2019 12:00:00 AM