

# Clark Law Firm Files Lawsuit on Behalf of Franchisee Against Spirit Halloween and Spencer Gifts

*Small business has filed a lawsuit against Spirit Halloween and Spencer Gifts, alleging that they engaged in deceptive, coercive, and unfair business practices.*

BELMAR, NJ, UNITED STATES, May 15, 2025 /EINPresswire.com/ -- Boo 2 You, LLC, a small business owned and operated by franchisee Linda Smith, has filed a lawsuit against Spirit Halloween and its parent company, Spencer Gifts, alleging that the corporate franchisors engaged in deceptive, coercive, and unfair business practices in violation of New Jersey law.

## LAWSUIT AGAINST SPIRIT HALLOWEEN & SPENCER GIFTS

*Filed Alleging Deceptive and Abusive Business Practices Against Franchisees*



The operative [complaint](#), filed May 12, 2025, in the Superior Court of New Jersey, Atlantic County (Docket No. ATL-L-000968-25), asserts claims under the New Jersey Consumer Fraud Act and related doctrines. The suit accuses Spirit Halloween and Spencer Gifts of using their significant leverage as franchisors to impose unjust financial and operational burdens on the franchisee, while misrepresenting key terms of the business relationship. The lawsuit alleges:

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We believe in free enterprise, but that includes fairness. Small business owners should not be bullied by corporations hiding behind fine print and legal maneuvering.”

*Gerald H. Clark, Esq.*

“In short, Defendants engaged in the unconscionable commercial practice of inducing plaintiffs to sacrifice greatly in building

a retail market customer base and operation and then once the business reached a certain level of success and stability, they booted out the franchisee operator, taking the business for themselves.”

"This case shines a light on the kind of systemic pressure that large corporations can place on small franchisees," said attorney Gerald Clark, of [Clark Law Firm, PC](#). "Linda Smith was promised an opportunity. We believe the evidence will show instead defendants broke basic rules about fair treatment of its franchisees, and ultimately it took over the markets and stores Linda worked so hard to create."

The plaintiff alleges that Spirit and Spencer made misleading assurances, failed to honor representations made during franchise discussions, and exploited their position to extract unfair payments and impose shifting contractual obligations—resulting in significant losses to Linda Smith and her Boo 2 You company.

"Our client was treated as disposable," said attorney Mark W. Morris of the Clark Law Firm, who is also representing the plaintiff. "This lawsuit is about holding corporate players accountable when they overreach and crush the small business owners who rely on them to act in good faith."

According to the complaint, Boo 2 You entered into a franchise relationship in good faith, only to discover that critical aspects of the deal were not as represented and that the franchisors repeatedly moved the goalposts to their own advantage.

"We believe in free enterprise," Clark added, "but that includes fairness. Small business owners should not be bullied by corporations hiding behind fine print and legal maneuvering."

The lawsuit demands a jury trial and seeks compensatory and statutory damages, among other relief. It is believed the total damages will go into the many millions of dollars.

The case is captioned Linda Smith v. Spirit Of Halloween Superstore, ATL-L-0968-25.

Please [contact us today](#) with any inquiries or if you believe you were a victim of Spirit Halloween or Spencer Gifts alleged unfair business practices.

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