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(For a list of additional Plaintiff's counsel,
see attached Appendix attached to
Stipulation for Entry of Judgment.)

*Exempt from fees Pursuant
to Govt. Code § 6103*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

PACIFIC MAGAZINE BILLING LP, a California
limited partnership;
PACIFIC MAGAZINE BILLING, INC., a
California corporation;
GRAVITY RESOURCES, INC., a California
corporation;
TURKEY RANCH PRODUCTIONS, INC., a
California corporation;
TALBOT WOLF, LLC., a California limited liability
company; and
STEVEN VANDE VEGTE, an individual,

Defendants.

Civil Case No.:

**[PROPOSED] STIPULATED
FINAL JUDGMENT AND
PERMANENT INJUNCTION**

Plaintiff, the People of the State of California ("People"), by and through Rob Bonta,
Attorney General; Ursula Jones Dickson, District Attorney of Alameda County; Nathan J.
Hochman, District Attorney of Los Angeles County; Lori E. Frugoli, District Attorney of Marin
County; Summer Stephan, District Attorney of San Diego County; Brooke Jenkins, District
Attorney of San Francisco; and Carla Rodriguez, District Attorney of Sonoma County; and
Defendants Pacific Magazine Billing, LP, Pacific Magazine Billing, Inc., Gravity Resources,

1 Inc., Turkey Ranch Productions, Inc., Talbot Wolf, LLC, and Steven Vande Vegte
2 (“Defendants” or “Pacific Magazine”) by and through their attorneys, Adkisson Pitet LLP,
3 having stipulated to entry of this Stipulated Final Judgment and Permanent Injunction
4 (hereinafter “Final Judgment”); and the Court having considered the pleadings and good cause
5 appearing,

6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

7 1. The Final Judgment has been reviewed by this Court and is found to have been
8 entered in good faith and to be, in all respects, just, reasonable, equitable, and adequate to
9 protect the public from the occurrence of future violations of the law.

10 2. Unless otherwise stated, all obligations imposed upon Defendants by the terms
11 of this Final Judgment are ordered pursuant to sections 17200, et seq., and 17500, et seq., of the
12 California Business and Professions Code, including sections 17203, 17206, 17535, and 17536.

13 3. The Parties waive the right to appeal this Final Judgment both as to form and
14 content.

15 **JURISDICTION AND VENUE**

16 4. The authority of the People to bring this action on behalf of the People is
17 derived from Business and Professions Code sections 17203, 17204, 17206, 17535, and 17536.

18 5. Defendants advertised and did business within the counties of Alameda, Los
19 Angeles, Marin, San Diego, San Francisco, Sonoma, and elsewhere throughout the state of
20 California during the time period of the wrongful acts alleged by the People.

21 6. Venue is appropriate in this Court because the wrongful acts alleged by the
22 People occurred in San Diego County and elsewhere throughout the State of California.

23 7. This Judgment pertains only to the parties hereto and is not intended to be and
24 should not be construed as an admission or waiver in any other action.

25 **APPLICABILITY**

26 8. The provisions of this Final Judgment are applicable to Defendants and, as
27 applicable, to each of their officers, directors, employees, agents, and representatives acting
28 within the course and scope of their agency and employment. The provisions shall also be

1 applicable to Defendants' subsidiaries, general and limited partners, successors and assignees of
2 Defendants, and to all persons, partnerships, agents, corporations, and other entities acting in
3 concert or in participation with Defendants and with actual or constructive knowledge of this
4 Final Judgment, with regard to the dissemination of solicitations for magazine subscriptions.
5 The term "Defendants" as used hereinafter shall mean and include all such persons and entities.
6 The injunctive provisions below shall also apply to Joseph Petrucelli. All obligations imposed
7 upon Defendants by the terms of this Stipulated Final Judgment are ordered pursuant to
8 Business and Professions Code sections 17203 and 17535, except where provided otherwise.

9 9. Nothing in this Final Judgment shall excuse Defendants from meeting any more
10 stringent requirements which may be imposed hereinafter by changes in applicable and legally
11 binding legislation, regulations, ordinances, and/or permits.

12 **INJUNCTIVE RELIEF**

13 10. Pursuant to Business and Professions Code section 17203 and 17204,
14 Defendants are hereby enjoined from engaging in any of the following business activities, to
15 the extent said activities either emanate from the State of California or are directed to any
16 person residing in this State:

17 a. Disseminating or causing to be disseminated any solicitation for or relating to
18 magazine subscriptions, whether on a renewal basis or otherwise;

19 b. Soliciting payment of money by means of any writing that reasonably could be
20 considered, construed as, or mistaken for a bill, invoice, or statement of account due, but is in
21 fact a solicitation for a new or renewal order; or,

22 c. Violating Business and Professions Code sections 17200 or 17500 by engaging
23 in false or misleading advertising practices.

24 **MONETARY RELIEF**

25 11. Civil Penalties: Pursuant to Business and Professions Code sections 17206 and
26 17536, Defendants shall be jointly and severally liable to pay civil penalties in the sum of two
27 hundred sixty-two thousand five hundred dollars (\$262,500), said amount to be used for the
28 enforcement of consumer protection laws and, pursuant to Government Code section 26506, to

1 be paid in the form of seven (7) certified checks each in the amount of thirty-seven thousand
2 five hundred dollars (\$37,500), made payable to the California Attorney General and the
3 District Attorneys' Offices of Alameda, Marin, Los Angeles, San Diego, San Francisco, and
4 Sonoma Counties, respectively.

5 12. Restitution: Pursuant to Business and Professions Code sections 17203 and
6 17535, Defendants shall pay *cy pres* restitution in the amount of twelve thousand five hundred
7 dollars (\$12,500) in the form of one certified check payable to the "California Consumer
8 Protection Prosecution Trust Fund," previously created by the Judgment and Permanent
9 Injunction, filed on September 21, 1989, in the case of *People v. ITT Consumer Financial*
10 *Corporation* (Alameda County Superior Court Case No. 656038-0) for the purpose of
11 enhancing the investigation, prosecution, and enforcement of consumer protection actions
12 brought pursuant to the unfair competition statutes of the State of California.

13 13. All payments required by this judgment shall be delivered to the San Diego
14 County District Attorney's Office, Attn: Deputy District Attorney Stephen Spinella at 330 West
15 Broadway, Suite 750, San Diego, CA 92101, no later than fourteen (14) days after the date of
16 entry of judgment.

17 **OTHER MATTERS**

18 14. IRS Reporting: Because monetary payments made in connection with this
19 Stipulated Final Judgment are reportable on IRS Form 1098-F, pursuant to and consistent with
20 26 U.S.C. section 6050X and 26 CFR § 1.6050X-1, Defendants shall, within 10 days of a
21 request, provide the People with: (i) an IRS Form W-9, and (ii) any other information the
22 People reasonably require to fulfill the reporting requirements.

23 **RETENTION OF JURISDICTION**

24 15. Jurisdiction is retained pursuant to Code of Civil Procedure section 664.6 for the
25 purpose of enabling the Parties to this Judgment to apply to the Court at any time for such
26 further orders and directions as may be necessary and appropriate for the construction or
27 carrying out of this Judgment, for the modification of any of its injunctive provisions, and for
28 the enforcement of, compliance with, and for the punishment of violations of the Judgment.

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EFFECT AND ENTRY

16. The clerk is directed to immediately enter this Final Judgment.

Dated: _____

JUDGE OF THE SUPERIOR COURT