

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 11-cv-03311-LTB-MJW

BIG O TIRES, LLC, a Nevada limited liability company,

Plaintiff,

v.

ROBERT H. FLORENCE, an individual, and  
LINDA N. FLORENCE, an individual,

Defendants.

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**STIPULATED JUDGMENT AND PERMANENT INJUNCTION**

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THIS MATTER comes before the Court on the Joint Motion for Entry of Stipulated Judgment and Permanent Injunction (Doc 12), and the Court being fully advised in the premises, it is

ORDERED:

Plaintiff Big O Tires, LLC ("Big O"), by and through its counsel, and Defendants Robert H. Florence and Linda N. Florence (collectively the "Florences"), *pro se*, have entered into the Stipulated Judgment and Permanent Injunction as follows:

1. The Florences hereby confess that they have breached their obligations under their Personal Guarantees of a Franchise Agreement between Big O and Florence Enterprises, Inc. ("FEI"). In particular, the Florences confess that they failed to make payments to Big O for inventory and royalties, failed to assign and transfer FEI's telephone numbers to Big O, failed to provide Big O with copies of FEI's customer lists, and failed to

return to Big O FEI's computer hardware and software, all of which are required by the Personal Guarantees.

2. Big O and the Florences hereby stipulate to the entry of a monetary judgment in favor of Big O and against the Florences in the amount of \$144,187.51 for the Florences' breaches of their Personal Guarantees.

3. Big O and the Florences also hereby stipulate to the entry of a Permanent Injunction against the Florences requiring them to immediately assign and transfer FEI's telephone numbers to Big O, provide copies of FEI's customer lists to Big O, and return to Big O FEI's computer hardware and software, and prohibiting the Florences and anyone in active concert with them or their company, FEI, including Jed Florence, from using any of Big O's trademarks, service marks, trade dress and licensed methods (including the Big O "Power Stripe" paint scheme consisting of a series of red, black and white stripes) in connection with any other business.

IT IS FURTHER ORDERED that this Stipulated Judgment and Permanent Injunction completely resolves this case and final judgment shall enter.

BY THE COURT:

s/Lewis T. Babcock  
Lewis T. Babcock, Judge

DATED: October 18, 2012