

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 15-cv-00461-CMA-MJW

QFA ROYALTIES LLC, and  
QUIZNO'S MASTER LLC, THE

Plaintiffs,

v.

Q OF O, LLC,  
DONNA J. JOHNSON,  
PHILLIP S. JOHNSON,  
DALE A. THOMAS, JR.,  
DALE A THOMAS, SR., and  
P & D SUBS, INC.

Defendants.

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**ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT  
JUDGMENT AGAINST Q OF O, LLC AND P & D SUBS, INC**

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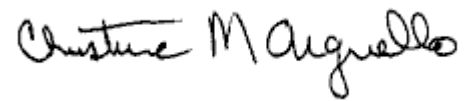
Upon consideration of QFA Royalties LLC and The Quizno's Master LLC's Motion for Default Judgment Against P & D Subs, Inc. and Q of O, LLC (Doc. # 57); P&D Subs, Inc. and Q of O, LLC having failed to appear, plead, or otherwise defend in this action; the Clerk having entered default on June 22, 2015; and counsel for Plaintiffs having filed a proper motion and declarations requesting judgment in accordance with Federal Rule of Civil Procedure 55(a) and (b), Plaintiffs' Motion (Doc. # 57) is hereby GRANTED.

Final judgment is hereby entered in favor of Plaintiffs and against P & D Subs, Inc. and Q of O, LLC as follows:

1. P & D Subs, Inc. shall pay to Plaintiffs \$300,758.99 plus interest on the judgment at the legal rate until the judgment is satisfied.
2. Q of O, LLC shall pay to Plaintiffs \$279,559.72 plus interest on the judgment at the legal rate until the judgment is satisfied.
3. Q of O, LLC and its respective agents, servants and employees, and all persons in active concert or participation with it, are permanently enjoined from:
  - A. Using any of the Quiznos Marks and trade dress, or any trademark, service mark, logo, trade name, or elements of design and décor that is confusingly similar to the Quiznos Marks and trade dress;
  - B. Otherwise infringing the Quiznos Marks or trade dress using any similar designation, alone or in combination with any other components, or any other similar design or décor, alone or in combination with other components;
  - C. Passing off any products or services as those of authorized Quiznos' franchisees or as genuine Quiznos' products or services;
  - D. Causing a likelihood of confusion or misunderstanding as to the source or sponsorship of their business, products or services;
  - E. Causing a likelihood of confusion or misunderstanding as to their affiliation, connection, or association with Quiznos, or with any of its products or services; and
  - F. Unfairly competing with Quiznos in any manner.
4. Q of O, LLC and P & D Subs, Inc., and each of them, and their respective agents, servants and employees, and all persons in active concert or participation with them, are permanently enjoined to fully perform the post-termination obligations contained in their former franchise agreements with QFA Royalties LLC, including, without limitation, their obligations under their noncompetition covenants.

DATED: July 24, 2015

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a large, looped initial "C".

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CHRISTINE M. ARGUELLO  
United States District Judge