

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

American Dairy Queen Corporation,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>JUDGMENT</b>
	)	
YS&J Enterprises, Inc. and John A. Ribet, III	)	5:14-CV-151-BR
	)	
Defendants.	)	
	)	

**Decision by Court.**

This matter is before Senior United States District Judge W. Earl Britt on plaintiff's motion for default judgment against defendants.

**IT IS ORDERED, ADJUDGED AND DECREED** that plaintiff's motion for default judgment is ALLOWED.

**IT IS FURTHER ORDERED, ADJUDGED, and DECREED** that:

1. Plaintiff have and recovers of defendants jointly and severally the amount of \$9401.49 for damages and the amount of \$60,035.25 for attorneys' fees, for a total amount of \$69,436.74;
2. Defendants and their officers, managers, guarantors, and employees are hereby PERMANENTLY ENJOINED from:
  - a. Using or displaying the DAIRY QUEEN® and ORANGE JULIUS® trademarks at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303;
  - b. Selling or distributing DAIRY QUEEN® and ORANGE JULIUS® products at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303; and
  - c. Operating their store at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303 as a DAIRY QUEEN® and/or ORANGE JULIUS® store.

3. The Clerk disburse to plaintiff (in the care of plaintiff's counsel) the amount of \$5000 posted as security for issuance of the preliminary injunction.

**This judgment filed and entered on August 14, 2014, and served on:**

Isaac Linnartz (via CM/ECF Notice of Electronic Filing)  
Kerry L. Bundy (via CM/ECF Notice of Electronic Filing)  
Nick R. Rotchadl (via CM/ECF Notice of Electronic Filing)  
Christopher G. Smith (via CM/ECF Notice of Electronic Filing)  
YS&J Enterprises, Inc. (via US Mail at 7000 Windover Drive, Durham, NC 27712)  
John A. Ribet, III (via US Mail at 7000 Windover Drive, Durham, NC 27712)

August 14, 2014

/s/ Julie A. Richards,  
Clerk of Court