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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN LUIS OBISPO

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

ADVANCE AUTO PARTS, INC., a Delaware
Corporation; ADVANCE STORES COMPANY,
INCORPORATED, a Virginia Corporation; GENERAL
PARTS INTERNATIONAL, INC., a North Carolina
Corporation; GENERAL PARTS, INC., a North
Carolina Corporation; LEE HOLDINGS NC, INC., a
Delaware corporation; GOLDEN STATE SUPPLY
LLC, a Nevada Limited Liability Company; and
WORLDWIDE AUTO PARTS a California corporation,
dba CARQUEST AUTO PARTS, and DOES 1-10,
Defendants.

Case No. 23CV-0547

**[PROPOSED] FINAL
JUDGMENT PURSUANT TO
STIPULATION**

Plaintiff, the People of the State of California, appearing through its attorneys, DAN DOW,
District Attorney of San Luis Obispo County, SUMMER STEPHAN, District Attorney of San Diego
County, and JOHN T. SAVRNOCH, District Attorney of Santa Barbara County (“District
Attorneys”); and Defendants, GOLDEN STATE SUPPLY LLC, a Nevada Limited Liability
Company, and WORLDWIDE AUTO PARTS, a California corporation, dba CARQUEST AUTO
PARTS (together, “Defendants” or “CARQUEST”), appearing by and through their attorney,
JENNIFER HARTMAN KING of HARTMAN KING PC (the District Attorneys and the

1 Defendants are referred to herein collectively as the “Parties”); having stipulated and consented to
2 the entry of this Final Judgment pursuant to Stipulation (“Judgment”) prior to the taking of proof,
3 and without trial or adjudication of any issue of fact or law herein, and without this Judgment
4 constituting evidence or an admission by Defendants of any fault, wrongdoing, liability, or violation
5 of law; and

6 The Court having considered the pleadings;

7 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:**

8 **JURISDICTION**

9 1. This action is brought under California law and this Court has jurisdiction of its subject
10 matter and Parties.

11 **APPLICABILITY**

12 2. The provisions of this Judgment are applicable to Defendants and to the successors and
13 assignees of Defendants, and to all persons, partnerships, corporations, and other entities acting for,
14 through, on behalf of, or in concert with Defendants’ operation of retail stores in California, with
15 actual or constructive notice of this Judgment. All obligations imposed upon Defendants by the
16 terms of this Judgment are ordered pursuant to Business and Professions Code sections 17203 and
17 17535. For the purpose of securing compliance with the terms of this Judgment, Defendants shall,
18 within 30 days after the date of entry of this Judgment, provide each of its current employees
19 responsible for operation of Defendants’ California locations with notice, including a summary, of
20 this Judgment.

21 **INJUNCTION**

22 3. Defendants and all persons and entities set forth in Paragraph 2 above, are hereby enjoined
23 and restrained, pursuant to Business and Professions Code sections 17203 and 17535, for five (5)
24 years from the date of entry of this Judgment from violating Business and Professions Code
25 section 12024.2.

26 4. Defendants and all persons and entities set forth in Paragraph 2 above, are hereby enjoined
27 and restrained for five (5) years from the date of entry of this Judgment from selling, transferring,
28 giving, or otherwise conveying in any manner any of the Carquest retail stores in California that

1 they operate until the prospective conveyee has agreed in writing to assume all of Defendants'
2 obligations under Paragraphs 3 of this Final Judgment.

3 **MONETARY RELIEF**

4 5. Pursuant to Business and Professions Code sections 17206 and 17535, Defendants shall,
5 within thirty (30) calendar days of the entry of this Judgment, pay to Plaintiff penalties in the amount
6 of six hundred and fifty-seven thousand dollars (\$657,000.00), to be divided equally and payable to
7 each office (San Luis Obispo County District Attorney, San Diego County District Attorney, and
8 Santa Barbara County District Attorney) in the form of three checks, each in the amount of two
9 hundred and nineteen thousand dollars (\$219,000.00).

10 6. The Parties having so stipulated, the Court hereby finds that it is impractical and
11 impossible to identify or to provide direct restitution to consumers who have suffered actual loss
12 such that direct restitution is impractical, costly, and would exceed any benefit to individual
13 consumers. Accordingly, Defendants shall, within thirty (30) calendar days of the entry of this
14 Judgment, pay restitution under the doctrine of *cy pres* pursuant to Business and Professions Code
15 §§ 17203 and 17535 to the California Agricultural Commissioners and Sealers Association Quantity
16 Control Trust Fund to support the investigation and enforcement of consumer protection laws in
17 California in the amount of twenty-four thousand three hundred and ninety-nine dollars
18 (\$24,399.00).

19 7. Defendants shall, within thirty (30) calendar days of the entry of this Judgment, pay to
20 Plaintiff the weights and measures agency costs totaling sixty-eight thousand six hundred and one
21 dollars (\$68,601.00), by checks made payable as follows:

22	California Dept. of Food & Agric.	\$ 3,129.00
23	County of Alameda	\$ 1,463.00
24	County of Fresno	\$ 610.00
25	County of Kern	\$ 7,591.00
26	County of Los Angeles	\$ 815.00
27	County of Marin	\$ 1,551.00
28	Orange County Public Works	\$10,281.00

1	County of Riverside	\$ 3,785.00
2	County of Sacramento	\$ 2,400.00
3	County of San Diego	\$ 5,367.00
4	County of San Joaquin	\$ 800.00
5	County of San Mateo	\$ 850.00
6	County of San Luis Obispo	\$12,766.00
7	County of Santa Barbara	\$ 4,970.00
8	County of Santa Clara	\$ 6,327.00
9	County of Sonoma	\$ 684.00
10	County of Stanislaus	\$ 769.00
11	County Ventura	\$ 4,187.00
12	County of Yolo	\$ 256.00

13 All checks, including those required by Paragraph 5, shall be delivered to the attention
14 of Kathryn Turner at the San Diego County District Attorney’s Office, 330 W. Broadway, Suite 750,
15 San Diego, California, 92101.

16 **RETENTION OF JURISDICTION AND FINALITY**

17 8. Jurisdiction is retained pursuant to Code of Civil Procedure section 664.6 for the purpose
18 of enabling any party to this Judgment to apply to the Court at any time for such further orders and
19 directions as may be necessary and appropriate for the construction or carrying out of this Judgment,
20 for the modification of any of its injunctive provisions, and for the enforcement of, compliance with,
21 and punishment of violations of the Judgment. Defendants’ obligations under Paragraphs 3 and 4
22 shall automatically terminate on the five (5) year anniversary of the entry date of this Judgment.

23 **ADDITIONAL PROVISIONS**

24 9. Before July 1, and at the request of Plaintiff, for five (5) years from the date of entry of
25 this Judgment, Defendants will provide a current list of Carquest retail stores they operate in the State
26 of California.

27 10. The Parties shall bear their own attorney’s fees and costs, except as provided herein.
28

1 11. If an ambiguity arises regarding any provision of this Judgment that requires
2 interpretation, there is no presumption that documents should be interpreted against any party. The
3 presumption in Civil Code section 1654 is not applicable.

4 12. This Judgment constitutes a full and final settlement of the People's claims made in its
5 Complaint for Injunction, Civil Penalties, and Other Equitable Relief filed with the San Luis Obispo
6 Superior Court on September 27, 2023, case number 23CV-0547 under Business and Professions
7 Code sections 17500 (also known as the False Advertising Law) and 17200 (also known as the
8 Unfair Competition Law) that occur before entry of this Judgment.

9 13. The Clerk is directed to immediately enter this Judgment.

10 14. This Judgment shall take effect immediately upon entry.

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12 Dated: 10/17/2024



Judge of the Superior Court

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