

1 Thomas C. Horne
Attorney General
2 (Firm State Bar No. 14000)
Rebecca C. Salisbury
3 Assistant Attorney General
State Bar No. 22006
4 Office of the Attorney General
1275 W. Washington Street
5 Phoenix, AZ 85007-2926
Telephone: (602) 542-3725
6 consumer@azag.gov
7 Attorneys for Plaintiff

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 STATE OF ARIZONA, *ex rel.* THOMAS C.
HORNE, Attorney General,

11 Plaintiff,

12 vs.

13 ALL ABOUT ENGINES, LLC; BRADLEY
14 UPTON and LANA UPTON, husband and
wife; ENGINE DR., INC.; PAUL NOLAN and
15 CATHERINE NOLAN, husband and wife, A+
ENGINE BUILDER SPECIALIST, LLC;
16 MARIVEL ROMERO, a single woman; and
RACHEL ARVALLO aka RACHEL
17 McCURDY, a single woman,

18 Defendants.

Case No.: CV2009-030812

~~PROPOSED~~ STIPULATED
FINAL JUDGMENT

(Assigned to the Honorable Sam Myers)

19
20 Plaintiff the State of Arizona *ex rel.* Thomas C. Horne, Attorney General (“the State”)
21 filed, and the Court granted, a Motion for Summary Judgment. Defendant All About Engines,
22 Inc., Defendant Paul Nolan, Defendant Catherine Nolan and Plaintiff, the State of Arizona,
23 having stipulated to entry of this Final Judgment and good cause appearing:

24 **IT IS HERBY ORDERED, ADJUDGED AND DECREED:**

25 1. Defendant Catherine Nolan is named herein solely because of her interest in the
26 marital community of Paul Nolan and Catherine Nolan and is not subject to the injunctive relief

1 set forth in the below provisions.

2 2. Defendants Paul Nolan and Engine Dr. Inc. are not currently, and shall not in the
3 future, engage in the business of motor vehicle repair or the purchase, sale, refurbishment or
4 installation of motor vehicle parts within the State of Arizona.

5 3. Defendants Paul Nolan and Engine Dr. Inc. shall comply with the Arizona Consumer
6 Fraud Act., A.R.S. § 44-1521 *et seq.*, as it is currently written, or as it is amended in the future.

7 4. The State is awarded judgment against all Defendants, jointly and severally, for civil
8 penalties pursuant to A.R.S. § 44-1531.01, in the amount of \$15,000.00, which amount has
9 been paid by Defendants and received by Plaintiff, the State of Arizona.

10 5. The State is awarded judgment against Defendants, jointly and severally, for
11 restitution in the amount of \$170,000.00, due at the time of entry of this Judgment, with interest
12 thereon at ten percent (10%) per annum until paid. The Attorney General shall promptly
13 deposit any monies collected into an interest bearing trust account with an Arizona insured
14 financial institution and shall disburse said funds to eligible consumers as solely determined by
15 the State and distributed on a pro rata basis. Distributions shall be made at such intervals as the
16 Attorney General, in his discretion, finds to be financially reasonable, in consideration of the
17 amount of money available, the amounts payable to individual consumers, and the cost of
18 distribution.

19 6. The State is awarded judgment against Defendants, jointly and severally, for its
20 reasonable attorney's fees and costs in the amount of \$70,000.00, due at the time of entry of
21 this Judgment, with interest thereon at ten percent (10%) per annum until paid, to be deposited
22 into the Consumer Fraud Revolving Fund pursuant to A.R.S. § 44-1531.01 and used for the
23 purposes set forth therein.

24 7. The State shall allocate any future monies collected under this Judgment first to the
25 payment of restitution and then to the payment of attorney's fees and costs.

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8. Jurisdiction is retained by this Court for the purpose of entertaining an application by Plaintiff for enforcement of this judgment.

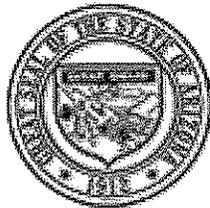
DATED this ____ day of _____, 2011.

The Honorable Sam Myers
Judge of the Superior Court

<#1864110v2>

Granted

Signed on this day, June 2, 2011



/s/ Sam Myers
Judicial Officer of Superior Court