

Judgment Page 1 of 20
Gary Christensen Washington County Recorder
01/27/2021 03:18:32 PM Fee \$40.00 By RAY
QUINNEY & NEBEKER, P.C.

The Order of the Court is stated below:

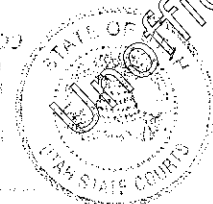
Dated: August 07, 2019
04:12:09 PM

At the direction of
/s/ JOHN WALTON
District Court Judge
by
/s/ ANN OLSON
District Court Clerk



James A. Sorenson (12239)
RAY QUINNEY & NEBEKER P.C.
36 South State Street
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: jsorenson@rqn.com

STATE OF UTAH
COUNTY OF WASHINGTON
I hereby certify that the document to
which this certificate is attached is a
true and correct copy of the
original filed in the Utah State Courts.
WITNESS my hand and seal
this 7th day of August
2019.
DISTRICT CLERK



Attorneys for Plaintiffs and Judgment Creditors Little Caesar Enterprises, Inc., LC Trademarks, Inc. and Blue Line Foodservice Distribution, Inc.

IN THE FIFTH JUDICIAL DISTRICT COURT
WASHINGTON COUNTY, STATE OF UTAH

LITTLE CAESAR ENTERPRISES, INC., a
Michigan corporation, LC TRADEMARKS,
INC., a Michigan corporation, and BLUE
LINE FOODSERVICE DISTRIBUTION,
INC., a Michigan corporation,

Plaintiffs,

v.
LITTLE CAESARS ASF CORPORATION,
a Utah corporation, LITTLE CAESARS ASF,
INC., a Utah corporation, SOUTHERN
UTAH PIZZA SERVICES, INC., a Utah
corporation, ROLLIE ALAN KNOX, an
individual, and BEVERLY S. KNOX, an
individual,

Defendants.

NOTICE OF JUDGMENT

Civil No. 196502576

Judge Walton

PLEASE TAKE NOTICE THAT the judgment entered in the United States District Court
for the Eastern District of Michigan, has been filed in the Fifth Judicial District Court of Utah,
Washington County, under the provisions of the UTAH FOREIGN JUDGMENT ACT, Utah

Code Ann. § 78B-5-301). Under this act, THIS JUDGMENT HAS THE SAME LEGAL FORCE AND EFFECT AS A JUDGMENT RENDERED BY THE UTAH STATE COURT.

DATED: August 7, 2019.

RAY QUINNEY & NEBEKER P.C.

/s/ James A. Sorenson

James A. Sorenson

Local Counsel for Judgment Creditor

Name and address of Judgment Creditor:

Little Caesar Enterprises, Inc.
LC Trademarks, Inc.
Blue Line Foodservice, Inc.

c/o RAY QUINNEY & NEBEKER P.C.
James A. Sorenson, Esq.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
(801) 532-1500

and

Robert L. Zisk
Justin L. Sallis
GRAY, PLANT, MOOTY, & BENNETT, P.A.
The Watergate 600 New Hampshire Avenue, N.W., Suite 700
Washington, D.C. 20037
Telephone: (202) 295-2200

CERTIFICATE OF SERVICE BY MAILING

STATE OF UTAH

COUNTY OF WASHINGTON

_____, being first duly sworn, upon oath states that he/she has mailed a copy of the Notice of Judgment to the judgment debtor as follows:

Little Caesars ASF Corporation
115 E 2580 S
Saint George, UT 84790

Little Caesars ASF, Inc.
115 E 2580 S
Saint George, UT 84790

Southern Utah Pizza Services, Inc.
115 E 2580 S
Saint George, UT 84790

Rollie Alan Knox
250 Le Grande Circle
Santa Clara, UT 84765

Beverly S. Knox
250 Le Grande Circle
Santa Clara, UT 84765

this _____ day of _____ 2019.

Deputy Clerk

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 196502576 by the method and on the date specified.

MAIL: BEVERLY S KNOX 250 LE GRANDE CIRCLE SAINT GEORGE, UT 84765

MAIL: ROLLIE ALAN KNOX 250 LE GRANDE CIRCLE SAINT GEORGE UT 84765

MAIL: LITTLE CAESARS CO 115 E 2580 S SAINT GEORGE UT 84790

08/07/2019

/s/ ANN OLSON

Date: _____

Deputy Court Clerk

AD 132 (Rev 09/06) Exemplification Certificate

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

EXEMPLIFICATION CERTIFICATE

I, DAVID J WEAVER, Clerk of the United States District Court, keeper of the records and seal, certify that the attached documents are true copies of the records of this Court.

LITTLE CAESAR ENTERPRISES V LITTLE CAESAR ASF CORPORATION

Case No 17-12329

FINAL JUDGMENT

In testimony whereof I sign my name and affix the seal of this Court, in this District at

Detroit, Michigan
DAVID J. WEAVER, Clerk of Court

ON

8/6/19
[Signature]
Deputy Clerk

I, Mark A. Goldsmith, a judicial Officer of this Court, certify David J. Weaver, named above, is and was on the date noted, Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the attestation of the record, are in accordance with the laws of the United States.

8/6/2019
Date

[Signature]
Signature of Judicial Officer
U.S. District Court Judge
Title

I, David J Weaver, Clerk of the United States District Court, keeper of the records and seal, certify that the Honorable Mark A Goldsmith, named above, is and was on the date noted a Judicial Officer of this court, duly appointed, sworn and qualified, and that I am well acquainted with the Judicial Officer's official signature and know and certify the above signature to be that of the Judicial Officer.

In testimony whereof I sign my name, and affix the seal of this Court at Theodore Levin U.S. Courthouse
231 W. Lafayette Boulevard

Detroit, Michigan 48226
DAVID J. WEAVER, Clerk

in this State on

8/6/19
[Signature]
Deputy Clerk

agreements, is **GRANTED** and the Franchise Agreements and Territory Reservation Agreements are declared terminated.

2. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox and all other persons in active concert or participation with them are **HEREBY ORDERED** to immediately and fully comply with the post-termination obligations contained in Sections 14 and 15 of the parties' Franchise Agreements, including but not limited to the following:

a. From December 13, 2018 (which is the date on which the Court was notified that Knox had come into full compliance with the Court's preliminary injunction order that Knox close and deidentify its franchises [Doc. 71]), they shall not, either directly or indirectly, or through, on behalf of, or in conjunction with any person, persons, or legal entity, own, maintain, advise, operate, engage in, be employed by, make loans to, or have any interest in or relationship or association with a business which is a quick or fast service restaurant engaged in the sale of pizza, chicken wings, and/or related products (i) for a continuous uninterrupted one year period with respect to the Designated Market Area, as defined by Nielsen, of any LITTLE CAESARS restaurant, regardless of concept, and regardless of whether the restaurant is owned by a franchisee of LCE or by LCE or an affiliate; and (ii) for a continuous uninterrupted two year period with respect to the Designated Market

Area in which Knox's LITTLE CAESARS franchises were located. The foregoing time periods shall be tolled during any period in which Knox is not in compliance with the obligations set forth in this paragraph.

b. They shall not (i) directly or indirectly at any time or in any manner identify themselves or any business as a current or former franchisee of LCE, or do anything which would indicate any relationship between them and LCE, any LCE trademark, any colorable imitation of any LCE trademark, or other indicia of a LITTLE CAESARS restaurant in any manner or for any purpose; (ii) use for any purpose any trade name, trade or service mark, slogans, logos, or other commercial symbol that indicates or suggests a connection or association with LCE; or (iii) otherwise infringe upon LCE's proprietary marks including its trade names, service marks, trademarks, logos, emblems, and other indicia of origin.

c. They shall immediately cease and/or refrain from (i) using any products or ingredients which incorporate LCE's trade secrets, or confidential methods, procedures, and techniques, in any manner or for any purpose; (ii) passing off any products or services as those of LCE or LCE's authorized franchisees; (iii) causing a likelihood of confusion or misunderstanding as to the source or sponsorship of any business, products, or services operated or offered by them; (iv) causing a likelihood of confusion or misunderstanding as to their affiliation,

connection, or association with LCE or LCE's authorized franchises; or (v) unfairly competing with LCE or LCE's authorized franchises.

d. They shall take such actions as may be necessary to cancel any assumed name or equivalent registration which contains any of LCE's proprietary marks or any derivative thereof, and shall furnish LCE's counsel of record with evidence satisfactory to LCE of compliance with this obligation within seven days of the entry of this Final Judgment.

3. Judgment is hereby entered in favor of LCE and against Defendants Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox, jointly and severally, in the amount of \$4,571,167.70, plus interest, as follows:

a. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$1,749,504.94, for past due monies owed for royalty and advertising fees, and for food, equipment, and supply deliveries.

b. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$2,599,402.63, for

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liquidated damages pursuant to the liquidated damages provision contained in Section 14.8 of the parties' Franchise Agreements.

c. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$222,260.13 pursuant to the contractual attorneys' fees provision contained in the parties' Franchise Agreements, for the reasonable attorneys' fees and costs incurred by LCE in connection with this matter

SO ORDERED.

DAVID J. WEAVER
CLERK OF THE COURT

By: s/Erica Karhoff
DEPUTY COURT CLERK

APPROVED:

s/Mark A. Goldsmith
MARK A. GOLDSMITH
UNITED STATES DISTRICT JUDGE

Dated: June 17, 2019

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
Southern Division - Detroit**

LITTLE CAESAR ENTERPRISES,
INC., et al.,

Plaintiffs and Counter Defendant,

v.

LITTLE CAESARS ASF
CORPORATION, et al.,

Defendants and Counterclaimants.

Case No.17-cv-12329-MAG-RSW
Hon. Mark A. Goldsmith

I hereby certify that the foregoing is
a true copy of the original on file in this
Office
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY: 
Deputy

FINAL JUDGMENT

On March 27, 2019, this Court issued an Order & Opinion [Doc. 79] granting the motion of Plaintiffs Little Caesar Enterprises, Inc., LC Trademarks, Inc., and Blue Line Foodservice Distribution, Inc. (together, "LCE") for summary judgment against Defendants Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox (together, "Knox"). Pursuant to that Order & Opinion and based on the record in this matter, **FINAL JUDGMENT** is hereby entered against Knox as follows:

1. LCE's request for declaratory relief declaring that Knox committed material breaches of the Franchise Agreements and Territory Reservation Agreements between the parties, giving LCE good cause to terminate those

agreements, is **GRANTED** and the Franchise Agreements and Territory Reservation Agreements are declared terminated.

2. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox and all other persons in active concert or participation with them are **HEREBY ORDERED** to immediately and fully comply with the post-termination obligations contained in Sections 14 and 15 of the parties' Franchise Agreements, including but not limited to the following:

a. From December 13, 2018 (which is the date on which the Court was notified that Knox had come into full compliance with the Court's preliminary injunction order that Knox close and deidentify its franchises [Doc. 71]), they shall not, either directly or indirectly, or through, on behalf of, or in conjunction with any person, persons, or legal entity, own, maintain, advise, operate, engage in, be employed by, make loans to, or have any interest in or relationship or association with a business which is a quick or fast service restaurant engaged in the sale of pizza, chicken wings, and/or related products (i) for a continuous uninterrupted one year period with respect to the Designated Market Area, as defined by Nielsen, of any LITTLE CAESARS restaurant, regardless of concept, and regardless of whether the restaurant is owned by a franchisee of LCE or by LCE or an affiliate; and (ii) for a continuous uninterrupted two year period with respect to the Designated Market

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Area in which Knox's LITTLE CAESARS franchises were located. The foregoing time periods shall be tolled during any period in which Knox is not in compliance with the obligations set forth in this paragraph.

b. They shall not (i) directly or indirectly at any time or in any manner identify themselves or any business as a current or former franchisee of LCE, or do anything which would indicate any relationship between them and LCE, any LCE trademark, any colorable imitation of any LCE trademark, or other indicia of a LITTLE CAESARS restaurant in any manner or for any purpose; (ii) use for any purpose any trade name, trade or service mark, slogans, logos, or other commercial symbol that indicates or suggests a connection or association with LCE; or (iii) otherwise infringe upon LCE's proprietary marks including its trade names, service marks, trademarks, logos, emblems, and other indicia of origin.

c. They shall immediately cease and/or refrain from (i) using any products or ingredients which incorporate LCE's trade secrets, or confidential methods, procedures, and techniques, in any manner or for any purpose; (ii) passing off any products or services as those of LCE or LCE's authorized franchises; (iii) causing a likelihood of confusion or misunderstanding as to the source or sponsorship of any business, products, or services operated or offered by them; (iv) causing a likelihood of confusion or misunderstanding as to their affiliation.

connection, or association with LCE or LCE's authorized franchises; or (v) unfairly competing with LCE or LCE's authorized franchises.

d. They shall take such actions as may be necessary to cancel any assumed name or equivalent registration which contains any of LCE's proprietary marks or any derivative thereof, and shall furnish LCE's counsel of record with evidence satisfactory to LCE of compliance with this obligation within seven days of the entry of this Final Judgment.

3. Judgment is hereby entered in favor of LCE and against Defendants Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox, jointly and severally, in the amount of ~~\$4,571,167.90~~, plus interest, as follows:

a. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$1,749,504.94, for past due monies owed for royalty and advertising fees, and for food, equipment, and supply deliveries.

b. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$2,599,402.63, for

Case 2:17-cv-12329-MAG-RSW ECF No. 96 filed 06/17/19 PageID.2671 Page 5 of 5

liquidated damages pursuant to the liquidated damages provision contained in Section 14.8 of the parties' Franchise Agreements.

c. Little Caesars ASF Corporation, Little Caesars ASF, Inc., Southern Utah Pizza Services, Inc., Rollie Alan Knox, and Beverly S. Knox are jointly and severally liable to LCE for damages in the amount of \$222,260.13 pursuant to the contractual attorneys' fees provision contained in the parties' Franchise Agreements, for the reasonable attorneys' fees and costs incurred by LCE in connection with this matter

SO ORDERED.

DAVID I. WEAVER
CLERK OF THE COURT

By: s/Erica Karhoff
DEPUTY COURT CLERK

APPROVED:

s/Mark A. Goldsmith
MARK A. GOLDSMITH
UNITED STATES DISTRICT JUDGE

Dated: June 17, 2019

James A. Sorenson (12239)
RAY QUINNEY & NEBEKER P.C.
36 South State Street
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: jsorenson@rqn.com

Attorneys for Plaintiffs and Judgment Creditors Little Caesar Enterprises, Inc., LC Trademarks, Inc. and Blue Line Foodservice Distribution, Inc.

IN THE FIFTH JUDICIAL DISTRICT COURT
WASHINGTON COUNTY, STATE OF UTAH

LITTLE CAESAR ENTERPRISES, INC., a Michigan corporation, **LC TRADEMARKS, INC.,** a Michigan corporation, and **BLUE LINE FOODSERVICE DISTRIBUTION, INC.,** a Michigan corporation,

Plaintiffs,

v.

LITTLE CAESARS ASF CORPORATION, a Utah corporation, **LITTLE CAESARS ASF, INC.,** a Utah corporation, **SOUTHERN UTAH PIZZA SERVICES, INC.,** a Utah corporation, **ROLLIE ALAN KNOX,** an individual, and **BEVERLY S. KNOX,** an individual,

Defendants.

JUDGMENT INFORMATION STATEMENT

Civil No. 196502576

Judge Keith C. Barnes

Plaintiffs and judgment creditors Little Caesar Enterprises, Inc., LC Trademarks, Inc. and Blue Line Foodservice Distribution, Inc. (collectively, "**Plaintiffs**" or the "**Judgment-Creditors**"), by and through their counsel, hereby provide the following information in

compliance with Utah Code Ann. § 78B-5-201.

This information is being provided only as to Judgment Debtors Little Caesar ASF Corporation, Little Caesars ASF, Inc., and Beverly S. Knox, and for purposes of perfecting a judgment lien as to these parties only. Judgment Debtor Rolie Alan Knox (“**Mr. Knox**”) filed a voluntary petition for bankruptcy relief in Case No. 19-25685 (the “**R.A. Knox Bankruptcy Case**”) in the United States Bankruptcy Court for the District of Utah (the “**Bankruptcy Court**”). In addition, judgment debtor Southern Utah Pizza Services, Inc. (“**SUPS**”) filed a voluntary petition for bankruptcy relief in Case No. 19-28836 (the “**SUPS Bankruptcy Case**”; collectively with the R.A. Knox Bankruptcy Case, the “**Bankruptcy Cases**”) in the Bankruptcy Court. Because of the filing of the Bankruptcy Cases, the recording of this Judgment Information Statement is not intended to attach or claim any lien against any property of Mr. Knox, SUPS, or their bankruptcy estates in the Bankruptcy Cases. Accordingly, no information concerning Mr. Knox or SUPS is included below.

(1) The correct names of the judgment debtors are (a) Little Caesars ASF Corporation; (b) Little Caesars ASF, Inc., and (c) Beverly S. Knox (collectively, “**Defendants**” or “**Judgment Debtors**”).

(2) The correct last known addresses of the Judgment Debtors are as follows:

Little Caesars ASF Corporation
115 E 2580 S
Saint George, UT 84790

Little Caesars ASF, Inc.
115 E 2580 S
Saint George, UT 84790

Beverly S. Knox
250 Le Grande Circle
Santa Clara, UT 84765

(3) The address at which the Judgment Debtor received service of process is as follows:

Little Caesars ASF Corporation
[Via Waiver of Service]
c/o Russell S. Walker
525 E. 100 S. #300
Salt Lake City, UT 84102

Little Caesars ASF, Inc.
[Via Waiver of Service]
c/o Russell S. Walker
525 E. 100 S. #300
Salt Lake City, UT 84102

Beverly S. Knox
[Via Waiver of Service]
c/o Russell S. Walker
525 E. 100 S. #300
Salt Lake City, UT 84102

(4) Judgment Debtors Little Caesar ASF Corporation and Little Caesars ASF, Inc. are not natural persons.

Judgment Debtor Beverly S. Knox is a natural person and

- (a) the social security number of the judgment debtor is [REDACTED]
- (b) the date of birth of the judgment debtor is unknown.
- (c) the driver license number of the judgment debtor is unknown.

(5) The correct names of the Judgment Creditors are (a) Little Caesar Enterprises, Inc., (b) LC Trademarks, Inc. and (c) Blue Line Foodservice Distribution, Inc.

(6) The mailing addresses of the Judgment Creditors are:

Little Caesar Enterprises, Inc.
2211 Woodward Ave.
Detroit, MI 48201-3467

LC Trademarks, Inc.
2211 Woodward Ave.
Detroit, MI 48201

Blue Line Foodservice Distribution, Inc.
2211 Woodward Ave.
Detroit, MI 48201

(7) The judgment was entered against the Judgment Debtors, jointly and severally, and the amount of the judgment, as of June 17, 2019, is \$4,571,167.70, plus interest as follows:

a. Little Caesars ASF Corporation, Little Caesars ASF, Inc., and Beverly S. Knox are jointly and severally liable to the Judgment Creditors for damages in the amount of \$1,749,504.94, for past due monies owed for royalty and advertising fees, and for food, equipment, and supply deliveries.

b. Little Caesars ASF Corporation, Little Caesars ASF, Inc., and Beverly S. Knox are jointly and severally liable to the Judgment Creditors for damages in the amount of \$2,599,402.63, for liquidated damages pursuant to the liquidated damages provision contained in Section 14.8 of the parties' Franchise Agreements.

c. Little Caesars ASF Corporation, Little Caesars ASF, Inc., and Beverly S. Knox are jointly and severally liable to the Judgment Creditors for damages in the amount of \$222,260.13 pursuant to contractual attorneys' fees provision contained in the parties' Franchise Agreements, for the reasonable attorneys' fees and costs incurred by the Judgment Creditors in connection with this matter (the "**Judgment**").

(8) The Judgment was entered on June 17, 2019 in the United States District Court for the Eastern District of Michigan. The Judgment was subsequently domesticated in this above case in the Fifth Judicial District Court in and for Washington County, State of Utah, on or about August 7, 2019.

(9) The Judgment has not been stayed.

(10) The Judgment creditor has reviewed its own records, the records of its attorney and the records of the court in which the Judgment was entered. Any information required by Utah Code Ann. § 78B-5-201 but not provided in this Judgment Information Statement is

unknown to the Judgment Creditor and its counsel and is unavailable.

DISCLAIMER

THE PRECEDING INFORMATION IS FILED WITH THE COURT PURSUANT TO UTAH CODE ANN. § 78B-5-201. THE JUDGMENT CREDITOR EXPRESSLY STATES THAT THE INFORMATION PROVIDED HEREIN IS NOT TO BE RELIED UPON BY ANY PERSON OR THIRD PARTY, AND THAT A PERSON SHOULD PERSONALLY INVESTIGATE ANY FACTS OR INFORMATION THEY ARE SEEKING ABOUT THE JUDGMENT DEBTOR AND SHALL NOT RELY UPON THE INFORMATION PROVIDED FOR HEREIN TO THEIR DETRIMENT. THE JUDGMENT CREDITOR HEREBY DISCLAIMS ANY WARRANTY, EXPRESS OR IMPLIED, AS TO THE INFORMATION PROVIDED FOR HEREIN OR LIABILITY TO ANY PERSON WHO USES OR RELIES UPON INFORMATION CONTAINED HEREIN.

DATED this 27th day of January 2021.

RAY QUINNEY & NEBEKER P.C.

/s/ James A. Sorenson

James A. Sorenson

*Attorneys for Plaintiffs and Judgment Creditors
Little Caesar Enterprises, Inc., LC Trademarks, Inc.
and Blue Line Foodservice Distribution, Inc.*

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