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11	COUNTY O	FRIVERSIDE
12	DESERT DIVISIO	N, INDIO BRANCH
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15	THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. Edmund G. Brown	Case No. INC 087307
16	Jr., Attorney General of the State of	[PROPO SED] FINAL JUDGMENT
	California,	Date: Not applicable
17	Plaintiff,	Time:Not applicable.Dept:2F
18	V.	Judge: Hon. John G. Evans Trial Date: October 15, 2012
19	BLACK HAWK TOBACCO, INC., dba	Action Filed: June 10, 2009
20	Black Hawk Tobacco Shop and Blackhawktobacco.com, FREDERICK	
21	ALLEN MCALLISTER, dba Black Hawk Tobacco Shop, and DOES 1 through 20,	na na sana ang kana a
22	inclusive,	
23	Defendants.	
24		
25	Having granted plaintiff's motion for sumr	nary judgment in full and in accordance with the
26	Court's formal order granting that motion, the Co	ourt now enters judgment for civil penalties and a
27	permanent injunction against defendant Black Ha	awk Tobacco, Inc., and Frederick Allen
28	McAllister, jointly and severally, as follows:	· ·
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Defendants shall pay to plaintiff a \$1,910,290 civil penalty, pursuant to the section
 17206 of the Business and Professions Code, for defendants' violations of section 30165.1,
 subdivsion (e) of the Revenue and Taxation Code (the tobacco directory law).

Defendants shall pay to plaintiff a \$1,103,490 civil penalty for defendants' violations of section 14951, subdivision (a)(4), of the Health and Safety Code (the Cigarette Fire-Safety and Firefighter Protection Act.

3. Defendants shall pay to plaintiff a \$269,470 civil penalty, pursuant to section 17206 of the Business and Professions Code, for defendants' violations of section 30101.7, subdivision (d)(2), of the Revenue and Taxation Code and section 22963, subdivision (b)(3), of the Business and Professions Code (the remote sales laws).

4. Defendants shall pay to plaintiff a \$227,500 civil penalty, pursuant to section 17206
 of the Business and Professions Code, for defendants' violations 18 U.S.C. § 2342, subdivision
 (a) (the federal Contraband Cigarette Trafficking Act).

5. Defendants Black Hawk Tobacco, Inc. and Frederick Allen McAllister, their
directors, officers, employees, agents and any persons acting in concert or participation with them
are permanently enjoined from engaging in any of the following unlawful business practices:

 a) Violating the tobacco directory law, Revenue and Taxation Code section 30165.1, in any way and specifically from:

i) Selling, offering, or possessing for sale in this state cigarettes of a tobacco product manufacturer or brand family not included in the California Tobacco Directory, which conduct is prohibited by subdivision (e)(2) of section 30165.1;
ii) Selling or distributing cigarettes that defendants know or should know are

intended to be distributed in violation of subdivision (e)(2), which conduct is prohibited by subdivision (e)(3) of section 30165.1; and

iii) Acquiring, holding, owning, possessing, transporting, importing or causing to be imported cigarettes that defendants know or should know are intended to be distributed in violation of subdivision (e)(2), which acts are prohibited by subdivision (e)(3) of section 30165.1.

 b) Violating the California Cigarette Fire Safety and Firefighter Protection Act, Health and Safety Code section 14950 et seq., and specifically from selling, offering or possessing for sale in this state cigarettes not in compliance with the requirements of the Act, which conduct is prohibited by section 14951, subdivision (a), of the Health & Safety Code. c) Violating section 30101.7 of the Revenue and Taxation Code or section 22963 of the Business and Professions Code by selling cigarettes by mail order, the Internet and/or the telephone without fully complying with the requirements of these remote sales laws. d) Trafficking in contraband cigarettes, as defined in the Contraband Cigarette Trafficking Act, 18 U.S.C. section 2341 et seq., and specifically from shipping, transporting, receiving, possessing, selling, distributing, or purchasing more than 10,000 cigarettes whose packs do not bear California cigarette excise tax stamps in a, which acts are prohibited by section 2342(a) of 18 United States Code. 6. Plaintiff is entitled to its costs in an amount to be determined pursuant to a bill of osts.
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IT IS SO ORDERED, ADJUDGED AND DECREED.
Dated: 7/27/12- Judge John G. Evans
Judge of the Superior Court
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