

**IN THE CIRCUIT COURT OF  
THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY, FLORIDA  
CIVIL DIVISION**

**OFFICE OF THE ATTORNEY GENERAL,  
STATE OF FLORIDA,  
DEPARTMENT OF LEGAL AFFAIRS,**

Plaintiff,

v.

**HUSKY CARGO, LLC,  
a Florida Limited Liability Company,  
DWAYNE PASS, an Individual, and  
TAMMY PASS, an Individual,**

Defendants.

Case Number:

**CONSENT FINAL JUDGMENT  
AGAINST HUSKY CARGO, LLC**

Pursuant to the stipulation for Consent Final Judgment executed below by Plaintiff, Office of the Attorney General, State of Florida, Department of Legal Affairs (“Attorney General”), and Defendant, Husky Cargo, LLC, a Florida limited liability company, (hereinafter, “Defendant” or “Husky”), and the Court having reviewed the Consent Final Judgment, and upon consideration of the papers filed and consent of the parties hereto, it is hereby **ORDERED** and **ADJUDGED**:

INITIALS  \_\_\_\_\_



more recently, at 3230 Delta Avenue, Bartow, FL 33830, acknowledges that the provisions of this Judgment have been read and that they can and will abide by them. Defendant further acknowledges that a violation of this Judgment may result in relief pursuant to FDUTPA and other relief as appropriate, including adjudication for contempt of Court.

2.2 Waiver/Release. The Attorney General and Defendant waives all rights to seek appellate review, rehearing, or otherwise to challenge or contest the validity of this Judgment. Defendant further waives and releases any and all claims it may have against the Attorney General, its employees, representatives or agents with respect to this action and Judgment. Defendant agrees that this paragraph does not limit the Attorney General's right to pursue any and all claims based on unknown information, including, but not limited to, any information that Defendant may have not disclosed.

2.3 Compliance with Law. Nothing herein relieves Defendant of their duty to comply with applicable laws of the State of Florida and all federal or local laws, regulations, ordinances and codes, nor constitutes authorization by the Attorney General for Defendant to engage in acts and practices prohibited by such laws.

2.4 Non-Approval of Conduct. Nothing herein constitutes approval by the Attorney General of Defendant's past or future practices. Defendant shall not make any representation to the contrary regarding this Judgment or use the name of the



2.8 No Bond Required. Pursuant to Section 60.08, Florida Statutes, the Attorney General is not required to post a bond to obtain permanent injunctive relief under Section 501.207, Florida Statutes.

2.9 No Avoidance of Judgment. Defendant agrees that it shall not effect any change in its form of doing business or its organizational identity for the purposes of avoiding the terms and conditions set forth in this Judgment. In the event Husky Cargo, LLC is sold, assigned, or transferred to a third-party, a copy of this Judgment shall be provided to said purchaser, assignee, or transferee.

2.10 Defendant expressly acknowledges that it has:

- a. obtained the advice and counsel of an independent attorney of its choosing to assist in the negotiation and preparation of the judgment;
- b. jointly participated with the Attorney General in the negotiation of the terms articulated in this Judgment;
- c. read this Judgment in its entirety and are aware of its terms;
- d. voluntarily executed this Judgment; and
- e. to the extent any rights or defenses have been waived by entry into this Judgment, made such a waiver voluntarily and with full knowledge of the ramifications of such waiver.

2.11 This Judgment is continuing in nature and shall be binding on any and all successors or assigns of Defendant.



shall be made by cashier's check, money order, wire transfer, or other certified funds payable to the "Department of Legal Affairs' Revolving Trust Fund," and delivered to the Office of the Attorney General, State of Florida, Department of Legal Affairs, Attn.: Edward C. Carter, Assistant Attorney General, 3507 E. Frontage Road, Suite 325, Tampa, FL 33607. The Judgment payment shall be deposited into the Department of Legal Affairs' Revolving Trust Fund pursuant to Section 501.2101(1), Florida Statutes, for distribution to consumers according to the sole discretion of the Attorney General.

#### V. FUTURE VIOLATIONS

Any subsequent failure to comply with the provisions of this Judgment is, by statute, *prima facie* evidence of a violation of FDUTPA and will subject Defendant to any and all civil penalties and sanctions authorized by law, including attorney's fees and costs. In the event that a court of competent jurisdiction makes a determination that a violation of any provision of this Judgment has occurred, then any Defendant who has participated in, managed, operated or controlled the operations at the time of said subsequent violation may be jointly and severally liable for additional civil penalties, as well as any additional attorney's fees and costs, and other relief as may be allowed by law.



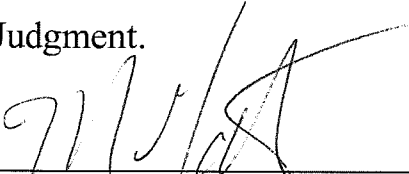


**STIPULATED AND AGREED:**

**HUSKY CARGO, LLC**

Agreed to and signed this 28 day of March, 2019, by the below-stated person who states and affirms as follows:

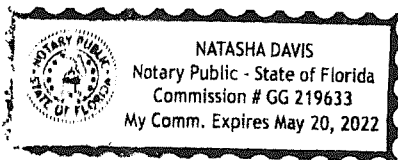
**BY MY SIGNATURE**, I, Michael Gatewood, hereby affirm that I am acting in my capacity and within my authority over Husky Cargo, LLC, and that I have the full authority to bind Husky Cargo, LLC to the terms and conditions of this Consent Judgment.

  
\_\_\_\_\_  
Michael Gatewood, President

STATE OF FLORIDA)  
COUNTY OF HILLSBOROUGH)

**BEFORE ME**, an officer duly authorized to take acknowledgments in the State of Florida, Michael Gatewood personally appeared as President of Husky Cargo, LLC. He acknowledged before me that he executed the foregoing instrument for the purposes therein stated on the 28 day of March, 2019.

Subscribed before me this 28 day of March, 2019.



[NOTARY SEAL]

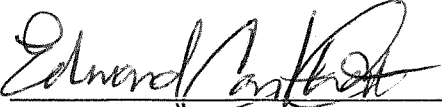
  
\_\_\_\_\_

Notary Public  
Personally known \_\_\_\_\_  
OR Produced Identification # G-330530760160  
Type of Identification Produced FILE

**OFFICE OF THE ATTORNEY GENERAL,**  
**STATE OF FLORIDA, DEPARTMENT OF LEGAL AFFAIRS**

**ASHLEY MOODY**  
**ATTORNEY GENERAL**

Dated this 3<sup>rd</sup> day of April, 2019.

By: 

EDWARD C. CARTER  
Assistant Attorney General  
Florida Bar No. 0865389  
Office of the Attorney General  
Department of Legal Affairs

3507 East Frontage Road, #325  
Tampa, Florida 33607  
Telephone: (813) 287-7950  
Facsimile: (813) 281-5515

Dated this 3<sup>rd</sup> day of April, 2019.

By: 

VICTORIA BUTLER  
Director, Consumer Protection Div.  
Office of the Attorney General  
Department of Legal Affairs

3507 East Frontage Road, #325  
Tampa, Florida 33607  
Telephone: (813) 287-7950  
Facsimile: (813) 281-5515


**ORDERED AND ADJUDGED** in chambers in Polk County, Florida, this \_\_\_\_ day  
of \_\_\_\_\_, 2019.

By: \_\_\_\_\_

Circuit Court Judge

Conformed copies to:

Office of the Attorney General  
Department of Legal Affairs  
Attn: Edward C. Carter, Esq.  
3507 East Frontage Road, Suite 325  
Tampa, Florida 33607  
Counsel for Plaintiff

  
Robert Marshall Rainey  
Burr & Forman, LLP  
PO Box 380  
Tampa, FL 33601  
Counsel for Defendant