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STATE OF WASHINGTON  
KITSAP COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
Plaintiff,

NO. 07-2-00906-1  
CONSENT DECREE

v.

GREAT ESTATES, LLC, a  
Washington Limited Liability  
Company; CORNUCOPIA AILISIA, a  
Washington sole proprietorship; and  
ALICE SIMPSON,  
Defendants.

I. JUDGMENT SUMMARY

- 1.1 Judgment Creditor: State of Washington
- 1.2 Judgment Debtors: Great Estates, LLC, a Washington Limited Liability Company; Cornucopia Ailisia, a Washington sole proprietorship; and Alice Simpson.
- 1.3 Principal Judgment Amount:
  - a. Civil Penalties: \$50,000 suspended on condition of compliance with all of the terms of this Stipulated Findings of Fact, Conclusions of Law, and Decree.
  - b. Restitution: See Section V. below, arbitration provisions

**COPIES**



1 Defendants further agree that they will not oppose the entry of this Consent Decree on the  
2 grounds the Consent Decree fails to comply with Rule 65(d) of the Rules of Civil Procedure, and  
3 hereby waive any objections based thereon; and

4 Defendants further agree that this Court shall retain jurisdiction of this action for the  
5 purpose of implementing and enforcing the terms and conditions of the Consent Decree and for all  
6 other purposes; and

7 The Court finding no just reason for delay;

8 NOW, THEREFORE, it is hereby ORDERED, ADJUDGED, AND DECREED as  
9 follows:

## 10 II. GENERAL

11 2.1. Jurisdiction. This Court has jurisdiction of the subject matter of this action and of  
12 the parties. Plaintiff's Complaint in this matter states claims upon which relief may be granted  
13 under the provisions of the Consumer Protection Act, Chapter 19.86 RCW.

14 2.2. Defendants. For purposes of this Consent Decree, the term "Defendants" where  
15 not otherwise specified shall mean Great Estates, LLC, a Washington Limited Liability  
16 Company; Cornucopia Ailisia, a Washington sole proprietorship; and Alice Simpson.

## 17 III. INJUNCTIONS

18 3.1. Application of Injunctions. The injunctive provisions of this Consent Decree shall  
19 apply to Defendants, and Defendants' successors, assigns, officers, agents, servants, employees,  
20 representatives, and all other persons or entities in active concert or participation with Defendants.

21 3.2. Notice. Within five (5) business days of entry of this Decree, Defendants shall  
22 inform all successors, assigns, transferees, officers, agents, servants, employees, representatives,  
23 attorneys and all other persons or entities in active concert or participation with Defendants in the  
24 Complaint, including, but not limited to, its marketing partners, of the terms and conditions of this  
25 Consent Decree.



1 compliance with the terms of this Decree.

2 **V. RESTITUTION**

3 5.1 Arbitration. Defendants shall submit to arbitration, consistent with the Superior  
4 Court Mandatory Arbitration Rules, with each consumer identified in Exhibit A, all of whom  
5 may have been subject to all or some of the practices described in Plaintiff's Complaint herein.  
6 Unless otherwise specified, arbitration shall satisfy the requirements of the Superior Court  
7 Mandatory Arbitration Rules and the Local Mandatory Arbitration Rules. The Arbitrator shall  
8 be selected by stipulation of the parties, and no party shall unreasonably refuse the other  
9 party's choice. The parties shall stipulate to an arbitrator within 30 days of the entry of this  
10 Judgment. The Arbitrator shall be authorized to award to the consumers who prevail in the  
11 arbitration the costs of arbitration and restitution. Should Defendants prevail at arbitration, the  
12 Arbitrator shall be authorized to award the costs of arbitration to Defendants. Plaintiff shall  
13 notify the consumers identified in Exhibit A within 45 days of entry of this Judgment of the  
14 consumer's right to arbitrate for restitution arising from Defendants' practices described in the  
15 Complaint herein.

16 **VI. ENFORCEMENT**

17 6.1 Pursuant to RCW 19.86.140, any violation of the terms of this Consent Decree  
18 may form the basis for further enforcement proceedings.

19 6.2 The violation of any of the terms of this Consent Decree shall constitute a  
20 violation of the Consumer Protection Act, RCW 19.86 et seq.

21 6.3 Jurisdiction is retained for the purpose of enabling any party to this Consent  
22 Decree, with or without the prior consent or approval of the other party, to apply to the Court  
23 at any time for the enforcement of compliance therewith, the punishment of violations  
24 thereof, or the modification or clarification thereof.  
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1           6.4    Nothing in this Consent Decree shall be construed as to limit or to bar any other  
2 governmental entity or any other consumer in the pursuit of additional remedies against  
3 Defendants.

4           6.5    Under no circumstances shall this Judgment or the names of the State of  
5 Washington or the Office of the Attorney General, Consumer Protection Division, the  
6 Secretary of State's Office, or any of their employees or representatives be used by  
7 Defendants' agents or employees in connection with the promotion of any product or service or  
8 an endorsement or approval of Defendants' practices.

9           6.6    Defendants shall bear Plaintiff's reasonable costs, including reasonable  
10 attorneys' fees, for enforcing this Consent Decree in any successful action to enforce any of its  
11 provisions.

12          6.7    The Court finding no just reason for delay, hereby expressly directs entry of this  
13 Consent Decree.

14          6.8    This Consent Decree resolves with prejudice all issues raised by the Attorney  
15 General under the Consumer Protection Act pertaining to the acts or omissions addressed in the  
16 Complaint filed in this matter that may have occurred before the date of the entry of this Consent  
17 Decree.

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VII. DISMISSAL AND WAIVER OF CLAIMS

7.1 Upon entry of this Consent Decree, all claims in this matter not otherwise addressed by this Consent Decree are dismissed.

SO ORDERED this 3 day of March 2008.

ANNA LAURIE

JUDGE/COURT COMMISSIONER

Presented by

ROBERT M. MCKENNA  
Attorney General

Paula Selis

PAULA SELIS, WSBA #12823  
Senior Counsel  
Attorneys for Plaintiff  
State of Washington

Agreed to, Approved for Entry, and Notice  
of Presentation Waived:

Alice Simpson

ALICE SIMPSON, individually and on behalf of  
GREAT ESTATES LLC and CORNUCOPIA ALISIA

Richard P. Patrick

RICHARD P. PATRICK, WSBA #36770  
Attorney for Defendants

Exhibit A

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1. Andrae
2. Arlen
3. Eaton
4. Engel
5. Garrison
6. Gibbs
7. Haley
8. Hoecker
9. Mark Kuehn
10. Margaret Lentz
11. Malane
12. Olsen
13. Rogers
14. Scrivner
15. Story