IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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FEDERAL TRADE COMMISSION,

Plaintiff,

1:01CV126

SPEEDWAY MOTORSPORTS, INC., and OIL-CHEM RESEARCH CORP.,

Defendants.

ORDER SUPPLEMENTING THE STIPULATED FINAL ORDER FOR PERMANENT INJUNCTION AND MONETARY RELIEF

Plaintiff the Federal Trade Commission ("Commission" or "FTC") and Defendants Oil-Chem Research Corp. ("Oil-Chem") and Speedway Motorsports, Inc. ("Speedway") (collectively "Defendants") have stipulated to the entry of this Order Supplementing the Stipulated Final Order for Permanent Injunction and Monetary Relief ("Order") to resolve all matters in dispute in this action between them. The Court, being advised in the premises, finds:

WHEREFORE,

v.

The FTC filed a Complaint against Defendants on January 31, 2001 ("Complaint"), (ECF No. 1);

The Court entered the Stipulated Final Order for Permanent Injunction and Monetary Relief (the "Final Order") on March 20, 2003, (ECF No. 152);

Defendants distributed \$919,409.28 pursuant to the terms of the Final Order;

Defendants remain obligated to pay \$80,590.72; and

Defendants wish to resolve the matter and pay the remaining \$80,590.72 directly to the FTC.

IT IS THEREFORE ORDERED as follows:

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- Α. The Final Order shall remain in full force and effect;
- В. Defendants are ordered to pay to the Commission Eighty Thousand Five Hundred Ninety Dollars and Seventy Two Cents (\$80,590.72), which, as Defendants stipulate, their undersigned counsel holds in escrow for no purpose other than payment to the Commission. Such payment must be made within fourteen (14) days of entry of this Order by electronic fund transfer in accordance with instructions previously provided by a representative of the Commission; and
- C. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Commission may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Complaint. Any money not used for such equitable relief is to be deposited to the U.S. Treasury as disgorgement. Defendants have no right to challenge any actions the Commission or its representatives may take pursuant to this Subsection.
- D. The above payment will satisfy Defendants' obligations under Section IV of the Order.

This, the 9th day of August, 2018.

/s/ Loretta C. Biggs United States District Judge

SO STIPULATED AND AGREED: 1 2 FOR PLAINTIFF FEDERAL TRADE COMMISSION: 3 4 Date: 8/1/18 5 MICHELLE SCHAEFER DC Bar No. 478773 6 600 Pennsylvania Avenue, NW CC-9528 Washington, DC 20580 7 Tel. 202-326-3515 8 mschaefer@ftc.gov Counsel for FTC 9 10 FOR DEFENDANTS OIL-CHEM RESEARCH CORP. AND SPEEDWAY MOTORSPORTS, INC.: 11 Date: 4/19/18 12 MICHAEL G. ADAMS 13 PARKER POE ADAMS & BERNSTEIN LLP N.C. State Bar. No. 16528 14 401 South Tryon, Suite 3000 15 Charlotte, NC 28202 Tel. 704-335-9062 16 mikeadams@parkerpoe.com Counsel for Defendants 17 18 JAMES M. SACK 19 THE SACK LAW FIRM P.C. 8270 Greensboro Drive 20 Suite 810 McLean, VA 22102 21 Tel. 703-883-0102 22 jms@sacklaw.com Counsel for Defendants 23 24 25 26

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	DEFENDANTS OIL-CHEM RESEARCH CORP.
1	AND SPEEDWAY MOTORSPORTS, INC.:
2	WILLIAM R. BROOKS, Date: 4/19/18
3	Vice Chairman and Chief Financial Officer of Speedway Motorsports, Inc.
4	Executive Vice-President of Oil-Chem Research Corp. on behalf of Defendants
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