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8 *Board of Barbering & Cosmetology*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF PLACER

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12 **BOARD OF BARBERING AND**
13 **COSMETOLOGY, DEPARTMENT OF**
14 **CONSUMER AFFAIRS, STATE OF**
CALIFORNIA,
15 Plaintiff,
16
17 **v.**
18 **RANDY WAYNE MITCHELL, an**
individual; and
19 **DOES 1-35, inclusive,**
20 Defendants.

Case No. S-CV-0050066

**STIPULATION FOR ENTRY OF
JUDGMENT AND PERMANENT
INJUNCTION (Code of Civ. Proc. § 664.6)**

1 Plaintiff Board of Barbering and Cosmetology, Department of Consumer Affairs, State of
2 California, and Defendant Randy Wayne Mitchell (collectively the “Parties”) stipulate to the
3 entry of the Final Judgment and Permanent Injunction as follows:

4 1. Judgment shall be entered against Defendant Randy Wayne Mitchell, and in favor
5 of Plaintiff Board of Barbering and Cosmetology, Department of Consumer Affairs, State of
6 California (“Board”). The Parties agree to the terms and form of the proposed Judgment attached
7 to this Stipulation as Exhibit “A.”

8 **PERMANENT INJUNCTION**

9 2. The Parties are jointly requesting the entry of a permanent injunction against
10 Mitchell with the following terms:

11 A. Defendant Randy Wayne Mitchell is permanently enjoined from engaging
12 in any conduct or activity that constitutes a violation of the Barbering and Cosmetology Act;

13 B. Defendant Randy Wayne Mitchell is permanently enjoined from engaging
14 in any conduct or activity that requires an Establishment License while Defendant does not
15 possess a valid Establishment License, including but not limited to the operation of the barber and
16 beauty shops (“Upper Cut Shops”) located at:

- 17 a. 1150 Sunset Boulevard #155, Rocklin, CA 95765;
- 18 b. 1150 Sunset Boulevard #153-#154, Rocklin, CA 95765;
- 19 c. 305 3rd Street, Marysville, CA 95901;
- 20 d. 1920 Highway 65 #150, Wheatland, CA 95692;
- 21 e. 1215 Colusa Avenue, Yuba City, CA 95991; and
- 22 f. 1950 E. 20th Street, Chico, CA 95928; and

23 C. Defendant Randy Wayne Mitchell is permanently enjoined from refusing
24 and interfering with any efforts by the Board to inspect the Upper Cut Shops.

25 **RECOVERY OF COSTS**

26 3. In satisfaction of the Board’s claim to recover the costs of its investigation under
27 Business and Professions Code section 125.5, subdivision (c), Mitchell shall pay to the Board the
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1 total amount of \$25,000, payable in 12 equal monthly payments, with the first payment due on the
2 1st day of the month following the Effective Date of this Settlement Agreement.

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The foregoing is agreed to by:

Kristy Underwood, as Executive Officer of the
Board of Barbering and Cosmetology

DATE: _____

Randy Wayne Mitchell, individually and doing business
as "Upper Cut Barber Shop" and "Upper Cut Social Club"

DATE: _____

Approved as conforming to the agreement of the parties:

Brent O. Jex, Esq.
Attorney for Plaintiff
Board of Barbering and Cosmetology

DATE: _____

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EXHIBIT “A”