



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

Karen Ross, Secretary

September 18, 2017

DMS NOTICE  
P – 17 – 01  
DISCARD: RETAIN

**TO:** WEIGHTS AND MEASURES OFFICIALS

**SUBJECT:** Settlement – Jaspal S. Gill, Franchisee, 7-Eleven Store No. 32836, Sacramento, CA

Enclosed is a copy of the Stipulation pursuant to a Notice of Proposed Action dated March 16, 2017, against Jaspal S. Gill, Franchisee, 7-Eleven Store No. 32836, Sacramento, CA. The Stipulation amounted to \$20,000 and was made payable to California Department of Food and Agriculture, Division of Measurement Standards.

The Stipulation filed against Mr. Gill was for violating sections of the California Business and Professions Code as follows:

- §13413(a) Deceptive, false and misleading advertisement;
- §13413(b) Misrepresenting the price of motor vehicle fuel;
- §13530(a) Price indicators not identical to advertising medium;
- §12024.2(a)(1) Charging a greater than amount advertised; and
- §12024.2(c) Overcharge at one dollar or less per gallon of motor vehicle fuel.

Mr. Gill agrees that this Stipulation may be used for the purposes of increasing fines in the event future violations are found.

If you have any questions, please contact John Larkin, Supervising Special Investigator, Enforcement Branch at (916) 229-3000 or [john.larkin@cdfa.ca.gov](mailto:john.larkin@cdfa.ca.gov).

Sincerely,

Kristin Macey  
Director

Enclosure

cc: Gary Leslie, County/State Liaison, CDFA



Stipulation

BEFORE THE  
DEPARTMENT OF FOOD AND AGRICULTURE  
STATE OF CALIFORNIA

IN THE MATTER OF:

Mr. Jaspal S. Gill, Franchisee  
7-Eleven Store No. 32836  
5500 Florin Perkins Road  
Sacramento, CA 95826

Case No. PE16-0317  
STIPULATION

**IT IS HEREBY STIPULATED** by and between Mr. Jaspal S. Gill, Franchisee for 7-Eleven Store No. 32836 (hereinafter "Respondent") and the California Department of Food and Agriculture (hereinafter "the Department") as follows:

A. Respondent, through its authorized representative(s), has read and reviewed the allegations in the Notice of Proposed Action in this matter, dated March 16, 2017 (hereinafter "Notice"), a copy of which has been attached. Respondent acknowledges that it understands the allegations contained in the Notice.

B. Respondent and the Department have separately and independently concluded that they wish to avoid the expense and inconvenience attendant to an administrative proceeding.

C. Respondent acknowledges that the Department has evidence that will support the truth of the allegations set forth in the March 16, 2017, Notice. The Department asserts that it can establish a prima facie case in support of the truth of the alleged violations set forth in the Notice. By virtue of this Stipulation, Respondent understands that the evidence presented to the Secretary of the Department is grounds for the civil penalty in the above-entitled matter. The Department acknowledges that the Notice set forth an excessive civil penalty amount of \$46,800.00 and amends the civil penalty amount to \$25,500.00. A detailed table of the amended civil penalty amount is

Stipulation

1 attached. Respondent agrees that this Stipulation may be used for the purpose of increasing fines in  
2 the event future violations are found.

3 D. Respondent waives any and all actions or claims, known or unknown, against the  
4 Department, or any of its agents or employees, that Respondent may now have or subsequently  
5 acquire related to this matter. Respondent further waives its right under Section 1542 of the  
6 California Civil Code, which states: "A general release does not extend to claims which the  
7 creditor does not know or suspect to exist in his or her favor at the time of executing the release,  
8 which if known by him or her must have materially affected his or her settlement with the debtor."  
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10 E. If any provision of this Stipulation is held invalid, the invalidity will not affect other  
11 provisions of applications of the Stipulation, which can be given effect without the invalid  
12 provision. The Stipulation becomes effective upon entry thereof.

14 F. The Department shall accept payment in full of civil penalties in the amount of  
15 \$20,000.00.

16 Final Payment of \$20,000.00 shall be postmarked no later than 30 days from the date this  
17 Stipulation is fully executed.

19 Please make the checks payable to "CDFA Cashier," and mail to:

20 California Department of Food and Agriculture - Cashier's Office  
21 Legal Office  
22 1220 N Street, Suite 400  
23 Sacramento, CA 95814

24 G. Nothing in this Stipulation shall be construed as a limitation on the powers or  
25 responsibilities of the Department under the laws of the State of California.

26 H. Jurisdiction is retained for the purpose of enabling the Department to enforce compliance  
27 of this Stipulation and pursue penalties for any violations thereof. If Respondent does not submit  
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Stipulation

1 payment in full in the amount of \$20,000.00 within 30 days of this Stipulation, the Department may  
2 proceed to recover all civil penalties and investigatory costs set forth in the Notice.

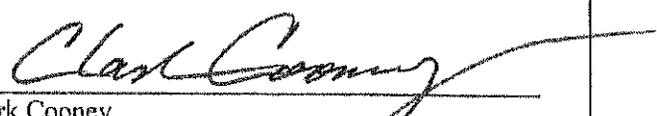
3 J. Respondent acknowledges that this Stipulation may be filed as a judgment with the  
4 superior court pursuant to Food and Agricultural Code section 14651.5, subdivision (e), should  
5 Respondent fail to meet the payment schedule above.  
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7 **IT IS SO STIPULATED.**

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9  
10 Dated: 7/11/17

  
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11 Mr. Jaspal S. Gill  
12 Franchisee  
13 7-Eleven Store No. 32836

14 Dated: 7-14-2017

  
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15 Clark Cooney  
16 Branch Chief  
17 Div. of Measurement Standards - Enforcement Branch  
18 Department of Food and Agriculture  
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