

**IN THE TWENTY-FIRST JUDICIAL CIRCUIT, STATE OF MISSOURI
CIRCUIT JUDGE DIVISION**

STATE OF MISSOURI, ex rel.)	
CHRIS KOSTER,)	
)	
Plaintiff,)	
)	Case No: 11SL-CC04862
v.)	
)	Division: 42
)	
GRIDIRON FANTASY)	
SPORTS, LLC, et al.,)	
)	
Defendants.)	
)	

**PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AGAINST
DEFENDANT GRIDIRON FANTASY SPORTS, LLC**

The State of Missouri, by its Attorney General Chris Koster and through Assistant Attorney General Cheryl Ann Schuetze, move for default judgment pursuant to Rule 74.05(a) against defendant Gridiron Fantasy Sports, LLC, and states the following in support:

1. Plaintiff filed suit against Gridiron Fantasy Sports, LLC, on December 8, 2012.
2. Plaintiff subsequently learned that the registered agent for Gridiron Fantasy Sports had changed to Trey Wainwright. Mr. Wainwright accepted service for Gridiron Fantasy Sports on April 13, 2012.
3. Pursuant to Rule 55.25 of the Missouri Rules of Civil Procedure,

Gridiron's answer was due on or before May 14, 2012.

4. As of the filing of this motion, no answer or other responsive pleading has been filed by defendant Gridiron.

5. Pursuant to Rule 74.05(a) of the Missouri Rules of Civil Procedure, plaintiff is entitled to an order of default.

6. The petition alleged violations of Chapter 407, the State's Merchandising Practices Act.

7. Forty-six consumers filed complaints with the Missouri Attorney General's Office alleging that they had paid entry fees between January 2010 and August 2011 for various fantasy football and baseball leagues but were not paid "prize" money at the end of the contests. Complaining consumers paid approximately \$126,776.00 in entry fees.

8. Pursuant to § 407.100, Plaintiff seeks \$126,776.00 as restitution for the consumers who purchased paid entry fees and were not awarded promised prizes.

9. Pursuant to § 407.100, Plaintiff seeks a civil penalty of \$46,000.00, which is calculated on the basis of an assessment of \$1,000 for each violation of the law, calculated per consumer.

10. Pursuant to § 407.140.3, plaintiff seeks \$12,677.60 to be paid to the State, an amount of money equal to ten percent (10%) of the total restitution ordered against said Defendants under § 407.100.

11. Pursuant to § 407.100, plaintiff seeks an injunction ordering that Gridiron Fantasy Sports, LLC, and its respective owners, principals, partners, officers, agents, employees, managers, sales persons, contractors, representatives, subsidiaries, assigns, successors in interest and any other individuals acting on its behalf or at its direction are permanently enjoined from engaging in business in the State of Missouri.

WHEREFORE, Plaintiff respectfully prays this Court enter an order of default as to Defendant Gridiron Fantasy Sports, LLC; issue a judgment in favor of State of Missouri and against defendant Gridiron Fantasy Sports, LLC, for \$185,453.60 and injunctive relief, and any other relief to which Plaintiff is entitled.

Respectfully submitted,

CHRIS KOSTER
Attorney General



CHERYL ANN SCHUETZE
Assistant Attorney General
Missouri Bar No. 53736

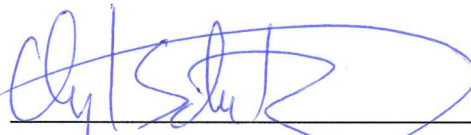
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing was emailed and mailed,
postage pre-paid, this 24th day of July, 2012 to:

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LAST REGISTERED AGENT FOR DEFENDANT GRIDIRON FANTASY
SPORTS, LLC


Assistant Attorney General