

STATE OF MINNESOTA
COMMISSIONER OF COMMERCE

In the Matter of the Gasoline Sales Practices
of Gas & More Inc.

**CONSENT CEASE AND
DESIST ORDER**

TO: Mr. Ali Shanaa
Gas & More Inc.
1444 93rd Lane
Blaine, MN 55449-4363

Commissioner of Commerce Glenn Wilson (hereinafter "Commissioner") has determined as follows:

3. The Commissioner has advised Gas & More Inc. (hereinafter "Respondent") that he is prepared to commence formal action pursuant to Minn. Stat. §§ 45.027, subd. 5 (2004) and §325D.71 (2004), against Respondent based on allegations that Respondent, at 1444 93rd Lane, Blaine, Minnesota, during the months of July 2004 through February 2005 engaged in the continuing offer and sale of gasoline below the minimum allowable price on sixty-one (61) separate occasions, in violation of Minn. Stat. §325D.04 (2004), including over twenty (20) occasions after Respondent was informed by the Department that its gasoline prices were below the minimum allowable price.

2. Respondent acknowledges that it has been advised of its rights to a hearing in this matter, to present argument to the Commissioner and to appeal from any adverse determination after a hearing, and Respondent hereby expressly waives those rights. Respondent further acknowledges that it has been represented by legal counsel throughout these proceedings, or has been advised of its right to be represented by legal counsel which right it hereby waives.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2004) and Minn. R. 1400.5900 (2000), and without acknowledging that the alleged violations have occurred.

4. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 45.027, subd. 5 (2004) that Respondent, shall cease and desist from engaging in the unlawful below-cost sale of gasoline.

IT IS FURTHER ORDERED, pursuant to Minn. Stat. § 45.027, subd. 6 (2004) that Respondent shall pay to the State of Minnesota a civil penalty of \$7,500 to be paid in two (2) equal payments of \$3,750.00. The first to be remitted upon Respondent's execution of the Consent to Entry of Order. The final payment shall be due no later then the third (3rd) day of May 2005. The U.S. Post Office postmark date on the transmittal envelope of each payment shall be used to determine whether receipt was prior to the deadline date.

IT IS FURTHER ORDERED that if the final payment is not received by the date due, Respondent shall be subject to an additional civil penalty of \$1,000.00 and as such, the final payment of \$4,750.00 shall be paid no later then May 18, 2005.

This Order shall be effective upon signature on behalf of the Commissioner.

Dated: 4/5/05

GLENN WILSON
Commissioner

By: 

PATRICK L. NELSON
Deputy Commissioner
Market Assurance Division

85 Seventh Place East, Suite 500
Saint Paul, Minnesota 55101
Telephone: (651)296-2488

CONSENT TO ENTRY OF ORDER

The undersigned, acting on behalf of Gas & More Inc., (hereinafter known as "Respondent") states that Respondent has read the foregoing Consent Order; that Respondent knows and fully understands its contents and effect; that Respondent is authorized to execute this Consent to Entry of Order on behalf of Respondent; that Respondent has been advised of Respondent's right to a hearing; that Respondent has been represented by legal counsel in this matter; or that Respondent has been advised of Respondent's right to be represented by legal counsel and that Respondent has waived this right; and that Respondent consents to entry of this Order by the Commissioner of Commerce. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either express or implied.

Respondent

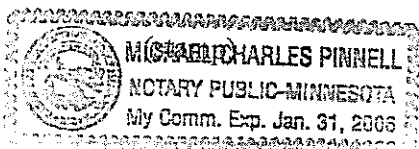
By:

Amy Shanaa
Gas & More Inc.

Its:

Vice PresidentSTATE OF MINNESOTACOUNTY OF RAMSEY

This instrument was acknowledged before me this 1 day of APRIL, 2005
by AMY JAMES SHANAA.

[Signature]
(Signature of notary officer)My commission expires: 1-31-2006