

5. On January █, 2011, █ filed Articles of Termination and Notice of Winding Up with the Secretary of State of Missouri through officer █. As of the date of the trial, █ did not file any winding down or dissolution paperwork pursuant to §347.141.1 RSMo.
6. From October █, 2008 through January █, 2011, █ and █ both operated out of the same address.
7. █, █ and █ all worked at █ at all times relevant hereto and are owners of █. █ was a key employee of █, and as the administrative assistant she answered the phone, drafted invoices, handled collections, had significant customer contact, and operated as the corporate representative. In 2007 Ms. █ had described her role at █ as an administrative assistant that entailed “all of the day-to-day bookkeeping, clerical, receptionist” and she kept the files and records straight. She effectively operates in the same role for █.
8. █ leased the website domain name of █ from █ on February █, 2008, to begin on March █, 2008. The domain name matching that of the company name.
9. █ leased the domain name of █ from █ on December █, 2008 and operating under the same domain name as █ until November 2014.
10. █’s Articles of Incorporation describes the purpose for which the company is organized as “the restoration, repair and sale of motor vehicles, vehicle parts and accessories, and clothing and accessories for the driver, and any other purposes allowed by the Act.”
11. █’s Articles of Incorporation describes the purpose for which the company is organized as “the restore, maintain, and service British vehicles, and the selling of parts, accessories, etc.”
12. █ continues to do business specializing in the same nature of business as █ did, operates out of the same location, utilized the same website until it lapsed in November 2014, uses the same phone number and office equipment as █, and

has a common identity of ownership and employees, and as such is a successor entity to [REDACTED].

13. The Court does not find credible [REDACTED]'s assertion that, although operating out of the same location, with substantially the same employees and officers, and having utilized the same website and phone number, that it does not know what happened to [REDACTED]'s equipment or customer list and was not operating as a successor to [REDACTED]'s business.

14. [REDACTED] is a mere continuation of [REDACTED], and therefore a successor entity that is responsible for the debts, obligations, liabilities and judgments incurred by [REDACTED].

WHEREFORE, The Court finds that [REDACTED] is a successor entity to [REDACTED] and bears successor liability. Judgment is hereby entered in favor of Plaintiffs [REDACTED] and against Defendant [REDACTED] [REDACTED] in the amount of \$169,704.00. Costs taxed against Defendant [REDACTED].

SO ORDERED:

Original signed by Court _____
Ellen Levy Siwak, Div. 11

Entered: _____

Copy to: [REDACTED], Attorney for Plaintiffs
[REDACTED], Attorney for Defendant