

D. Jeanne Kutzley
Supreme Court #12399
Assistant Attorney General
Office of the Attorney General
Kansas Judicial Center - Lower Level
Topeka, Kansas 66612-1597
(913) 296-3751

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
DIVISION 9

STATE OF KANSAS, ex rel.,)
ROBERT T. STEPHAN, Attorney General,)

Plaintiff,)

vs.)

V.I.P. BUILDERS, INC., RONALD P.)
STONE, a/k/a C. R. STONE, a/k/a)
R. P. BAYLEY, and PAMELA ANN)
TYLER, a/k/a P. A. STONE, a/k/a)
PAM TYLER, a/k/a ANN P. TYLER,)

Defendants.)

Case 87 C 9522

(Pursuant to K.S.A. Chapter 60)

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 17th day of June, 1988, Plaintiff's Motion for Default Judgment comes before the Court. Plaintiff appears by D. Jeanne Kutzley, Assistant Attorney General. Defendants do not appear.

It appears to the Court that the Amended Petition in the above-captioned action was filed on February 16, 1988, and Summons and Amended Petition were personally served on Defendants on February 25, 1988. No answer or other pleading has been filed by Defendants.

Upon consideration of the record and files in this action, the Court finds that Plaintiff is entitled to the relief requested in its Motion.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED
as follows:

1. The Court has jurisdiction over the subject matter of
this action.

2. The Defendants were personally served with process and
the Court has personal jurisdiction over them.

3. The action was brought by the Attorney General of
Kansas, Robert T. Stephan, as part of his enforcement duties
under the Kansas Consumer Protection Act, K.S.A. 50-623 et
seq.

4. The Defendants are permanently enjoined from doing
business in Kansas.

5. The following acts and practices of Defendant are
declared deceptive and unconscionable and violations of the
Kansas Consumer Protection Act, K.S.A. 50-623 et seq.:

- a) Defendant accepted deposits from consumers
for the purchase and installation of
swimming pools;
- b) Defendant never delivered the pools;
- c) Defendant never returned the deposits
to consumers.

6. Defendants specifically are found in violation of the
following sections of the Kansas Consumer Protection Act, K.S.A.
50-623 et seq.:

- a) Offering property or services without intent to
sell them K.S.A. 50-626(b) (5);
- b) Offering property or services without intent to
supply reasonable, expectable public demand,
unless the offer discloses the limitation
K.S.A. 50-626(b) (6);
- c) That, when the consumer transaction was entered
into, the consumer was unable to receive a

