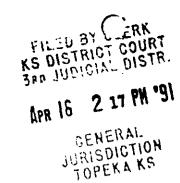
29-89



D. Jeanne Kutzley #12399 Assistant Attorney General Kansas Judicial Center Topeka, Kansas 66612-1597 (913) 296-3751

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS Division 11

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

Plaintiff,

vs.

Case 89 CV 1504

CHUCK RULE, et al.

Defendants

## JOURNAL ENTRY OF JUDGMENT

On	this _	d	ay of	·		1991	the a	ıbove-	entitled
matter	comes	on re	gular	ly bef	ore t	he C	ourt	for	hearing.
Plaintif	ff appe	ars by	and	through	D. J	eanne	Kutzl	ey, A	ssistant
Attorney General.			Defendants do not appear.						

The Court having been fully advised, makes the following findings:

- 1. Defendant Mark Rule has failed to cooperate in this action by failing to respond to discovery pursuant to K.S.A. 60-233, K.S.A. 60-236 and K.S.A. 60-237;
- 2. Defendant Mark Rule failed to appear at and no attorney entered an appearance on his behalf at the pre-trial conference scheduled by the Court pursuant to K.S.A. 60-216;

- 3. Defendant Mark Rule's current address is unknown to Plaintiff;
- 4. Defendant Mark Rule was notified by service on his attorney by order of this Court of the amount of damages sought in default by Plaintiff;
- 5. The certified receipts for delivery of that notice are attached as Exhibit "B";
- 6. Judgment for liability was previously granted by the Court against Defendants Chuck Rule and Patricia Rule;
- 7. Defendants Chuck Rule and Patricia Rule have been notified by publication on March 6, 1991 by order of this Court of the amount of damages sought in default by the Plaintiff;
- 8. An affidavit of publication has been filed with the Court;
- 9. Eight consumers paid Defendants a total of \$21,204.11 for work which was never completed (see attached Exhibit "A");
- 10. Defendants violated the Kansas Consumer Protection Act, K.S.A 50-623 et seq.

IT IS ORDERED that default judgment is granted against Defendant Mark Rule;

IT IS ORDERED that judgment is granted against Defendants Chuck Rule, Patricia Rule and Mark Rule for \$21,204.11 in consumer restitution (see attached Exhibit "A"), \$8,000.00 in civil penalties and \$2,000.00 for reasonable investigative fees and expenses.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT

Submitted by:

D. Jeanne Kutzley Attorney for Plaintiff

J/SAFE.JE/TXTATTY D. J