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FILED BY CLERK
KS DISTRICT COURT
3RD JUDICIAL DISTRICT

MAY 3 1 00 PM '91

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 13

GENERAL
JURISDICTION
TOPEKA KS

STATE OF KANSAS, ex rel.,)
ROBERT T. STEPHAN, Attorney General,)
)
Plaintiff,)
)
vs.)
)
C. DAVID IREY D/B/A)
D & D SERVICES/ CASH NOW)
)
Defendant.)

Case 91CV125

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this _____ day of _____, 1991, the oral Motion for approval of Consent Judgment by the State of Kansas comes on for hearing. The State of Kansas appears on the relation of Robert T. Stephan, Attorney General, by and through Shelly Gasper, Assistant Attorney General. The Defendant appears by Bob Bobo III.

Whereupon, the parties advise the Court they have stipulated and agreed to the following matters:

1. Robert T. Stephan is the Attorney General of the State of Kansas and brings this action under authority of the Kansas consumer protection act.
2. Defendant's business was located at 220 SW 33rd, Topeka, Kansas. The Defendant enters its voluntary general

appearance. The Defendant admits the Court has jurisdiction over the parties and the subject matter.

3. The Attorney General alleges the following:

a) Defendant advances his own funds against a negotiable instrument written by a consumer, which is then held for two weeks or until the consumer's payday. The Defendant charges approximately \$30 per \$120 advanced, or 520% finance charge, and other similar charges. These are unconscionable charges under K.S.A. 50-627(b)(2).

4. The Defendant neither admits or denies the allegations, but voluntarily agrees to this Consent Judgment without trial or adjudication of any issue of fact or law.

5. The provisions of this Consent Judgment will be applicable to the Defendant, and every employee, agent or representative of the Defendant.

6. The Defendant agrees to refrain from and to be enjoined from engaging in all acts and practices alleged by the State of Kansas to be unconscionable, in paragraph number three (3).

For purposes of this agreement, Defendant will be considered to be engaging in unconscionable practices if he continues to advance or loan money for any fee above that allowed by the Uniform Consumer Credit Code, or any subsequent law which specifically addresses this type of activity.

7. This Consent Judgment shall be binding on the Defendant, his successors and assigns, as long as the Defendant engages in the business of cashing checks under this or any other name.

8. The Defendant agrees to pay \$250 in investigation fees and expenses to the Attorney General of the State of Kansas. Payment will be by certified check.

9. The Defendant agrees to allow the Attorney General to inspect relevant business records of check cashing in the future. The Attorney General will give reasonable notice for these inspections.

10. The Defendant agrees to pay all court costs and filing fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the stipulation and agreement of the parties contained herein is adopted and approved as the finding of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Kansas Consumer Protection Act, K.S.A. 50-632(b), the Court hereby approves the terms of the Consent Judgment and adopts the same as the Order of the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant will pay all court costs and filing fees.

IT IS SO ORDERED.

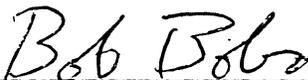
JUDGE OF THE DISTRICT COURT

Approved by:


ROBERT T. STEPHAN #05340
Attorney General
Kansas Judicial Center
Topeka, KS 66612


Shelly Gasper #12896
Assistant Attorney General
Kansas Judicial Center
Topeka, KS 66612

Attorneys for Plaintiff.


Bob Bobo III #10599
615 S. Topeka Blvd.
Topeka, KS 66603

Attorney for Defendant.

S/CASH15/TXTATTY