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FORBES.CJ/TXTTERRI

DISTRICT COURT  
SHAWNEE COUNTY JUDICIAL DISTRICT  
APR 28 3 47 PM '92  
TOPEKA KANSAS

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 4

STATE OF KANSAS, ex rel.,  
ROBERT T. STEPHAN, Attorney General,  
  
Plaintiff,  
  
vs.  
  
CHRISTOPHER DEAN FORBES,  
  
Defendant.

Case No. 91 CV 969

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this 27<sup>th</sup> day of April, 1992, the petition for approval of consent judgment filed by the State of Kansas comes on for hearing. The State of Kansas ex rel. Robert T. Stephan Attorney General, appears by and through David C. Wetzler, Assistant Attorney General. The defendant appears by and through Joanne VanMeter.

Whereupon, the parties advise the court that 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 the authority of the Kansas consumer protection act, K.S.A. 50-623 et seq.

2) Defendant, Christopher Dean Forbes, is an individual resident of Kansas. The defendant enters his voluntary general appearance and admits the court has jurisdiction over the parties and the subject matter.

3) The plaintiff alleges the defendant represented to consumers that he was selling a portion of his personal collection of posters when, in fact, the defendant did not own or possess the posters at the time he offered them for sale. Defendant's acts were deceptive and violated K.S.A. 50-626(b)(2) which prohibits the intentional use of exaggeration as to a material fact.

4) The plaintiff alleges the following consumers ordered posters from the defendant and paid the defendant for such posters in the following amounts:

a) John Beam	\$ 225.00
b) Mike Kaplan	\$1,060.00
c) Dennis Johnson	\$1,125.00
d) Cary J. Black	\$ 675.00
e) Railton Cabbell	\$3,905.00
f) Milton J. Milewski	\$ 475.00
g) Tony Goodstone	\$1,400.00

5) The plaintiff alleges the defendant failed to deliver the posters to the above-mentioned consumers.

6) The plaintiff alleges the above-mentioned consumers incurred actual damages by reason of defendant's deceptive acts in the amount of \$8,665.00.

7) By signing this consent judgment, defendant disputes and denies any liability for, as well as the truthfulness, of the allegations described above, but in order to avoid the expense and uncertainty of litigation, the defendant voluntarily agrees to this consent judgment without trial or adjudication of any issue of fact or law.

8) The defendant agrees to refrain from and to be enjoined from engaging in all acts and practices alleged by plaintiff to be deceptive in paragraph three (3).

9) The defendant agrees he shall pay the Attorney General of the State of Kansas on behalf of the above-mentioned consumers the amount of \$8,665.00.

10) The defendant agrees to make payments by cashier's check or money order in the amount of \$250.00 per month payable to the Attorney General until the obligation of \$8,665.00 is satisfied.

11) The defendant agrees the monthly payments shall begin May 5, 1992, and shall be due and payable on the first day of each month until such obligation is satisfied.

12) Should the defendant fail to make two consecutive monthly payments, the plaintiff may, at its option, declare the entire unpaid balance immediately due and payable and shall be entitled to exercise all remedies provided by law to collect the indebtedness.

13) The defendant agrees to pay a total of \$250.00 in investigation fees and expenses to the Attorney General of the State of Kansas. This sum is due within one hundred eighty (180) days of the filing of this consent judgment.

14) 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.

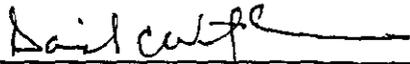
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Kansas consumer protection act, K.S.A. 50-632(b), the court hereby approves the terms of the consent judgment and adopts the same as the order of the court.

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

IT IS SO ORDERED.

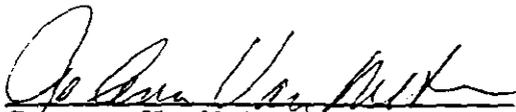
  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

Approved by:



David C. Wetzler, #14954  
Assistant Attorney General  
Office of the Attorney General  
Kansas Judicial Center - Lower Level  
Topeka, Kansas 66612-1597

Attorney for plaintiff  
State of Kansas



Joanne VanMeter

Attorney for defendant