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TRUDY.CJ/KATHYG/ANDES

DISTRICT COURT
SHAWNEE JUDICIAL DIST.
JAN 5 2 48 PM '94

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 9

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

Plaintiff,

vs.

Case No. 92 CV 515

TRUDY ANDES d/b/a TRUDY ANDES
MODELING AGENCY,

Defendant.

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this 4th day of January, ⁹⁴~~December~~, 1993, the plaintiff's motion for approval of consent judgment comes before the court for consideration under K.S.A. 1991 Supp. 50-632(b). The State of Kansas ex rel. Robert T. Stephan, Attorney General, appears by and through Kathy Greenlee, Assistant Attorney General. The defendant appears by and through Kevin Fowler.

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.

2. Defendant is an individual. Defendant's business was located at Winfield, Kansas. The defendant enters her voluntary

general appearance. The defendant admits the court has jurisdiction over the parties and the subject matter.

3. The Attorney General alleges the following acts and practices by the defendant are deceptive and unconscionable and violate K.S.A. 50-626 and 50-627 of the Kansas consumer protection act:

I. Defendant failed to disclose in her advertising the fact that a \$65 "test shoot" was required of all applicants.

II. Defendant placed her advertisements in the classified ads under the heading "HELP WANTED," although she did not actually employ or pay people who signed contracts with her.

III. Defendant required a "test shoot" and a video promotion, for which she charged nearly \$100.00.

4. The defendant 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 permanently refrain from and be enjoined from engaging in the acts and practices alleged to be deceptive and unconscionable in paragraph 3 above.

7. The defendant agrees to comply with the provisions of the Proprietary Schools Act, K.S.A. 72-4916 et seq. and the Private Employment Agencies Act, K.S.A. 44-401 et seq.

8. The defendant agrees to resolve all consumer complaints currently on file with the Attorney General's Office by rescinding all contracts with and refunding \$165.00 to each of the following consumers within one year from the date of this consent judgment: Kimberly Stutz, Trencce Robinson, Beth Arnold, Lon Pressnall, Melinda Proberts.

9. This agreement shall be binding on the defendant regardless of whether she enters into, forms, organizes or reorganizes into any partnership, corporation, sole proprietorship or any other legal structures.

10. The defendant agrees to pay \$1,000.00 in investigation fees and expenses to the Attorney General of the State of Kansas, within one year of the date of this consent judgment. Payment will be by certified check.

11. The defendant agrees to allow the Attorney General to inspect relevant business records in the future.

12. 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 are adopted and approved as the findings of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Kansas consumer protection act, and the provisions of

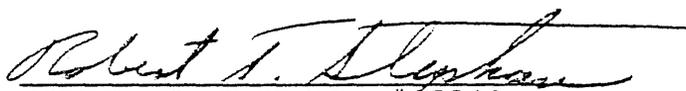
K.S.A. 50-632(b), the court hereby approves the terms of the consent judgment and adopts the same as the order of the court.

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

IT IS SO ORDERED.

DISTRICT COURT JUDGE

Approved by:


ROBERT T. STEPHAN, #05340
Attorney General


Kathy Greenlee, #13759
Assistant Attorney General

Attorneys for Plaintiff


Kevin Fowler
Frieden, Haynes & Forbes

Attorney for Defendant