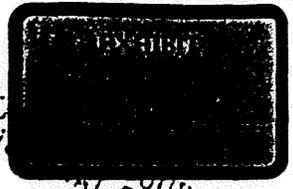


Mark W. Stafford, #13233  
Assistant Attorney General  
Office of the Attorney General  
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Topeka, Kansas 66612-1597  
(913) 296-3751  
ENERGO.DJ/TXTTERRI

92-015



OCT 16 9 18 AM '92  
DISTRICT COURT  
SHAWNEE COUNTY, KANSAS

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 9

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

vs.

ENERGO, INC. d/b/a S AND G  
ENTERPRISES,

Defendant.

Case No. 92 CV 778

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 16th day of October, 1992, this matter comes before the court upon plaintiff's Motion for Default Judgment. Plaintiff appears by and through Mark W. Stafford, Assistant Attorney General. Defendant does not appear in person or through counsel.

Upon being advised of the contents of the record, the court finds the following:

- 1) Defendant has been properly served with process.
- 2) This court has jurisdiction over the parties and over the subject-matter in this case.

3) Defendant is in complete default by its non-appearance and by its failure to defend this action.

4) By its default, defendant does not deny the allegations set forth in plaintiff's Amended Petition. The statements of fact and conclusions of law are therefore incorporated by reference and are adopted as the findings of the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. Defendant's actions as alleged in Counts I, III, and V are declared deceptive and in violation of the Kansas consumer protection act.

B. Defendant's actions as alleged in Counts II, IV, and VI are declared unconscionable and in violation of the Kansas consumer protection act.

C. Defendant is permanently enjoined from further acts declared to be deceptive and unconscionable and in violation of the Kansas consumer protection act.

D. Defendant is ordered to pay actual damages in the amount of \$14,568.47 to Eugene O. Peters.

E. Defendant is ordered to pay actual damages in the amount of \$63,950.00 to Ronald McCosh.

F. Defendant is ordered to pay actual damages in the amount of \$67,200.00 to Durwin Mall.

G. Defendant is ordered to pay actual damages for the amount of \$2,594.80 to Gene Budig.

H. Defendant is ordered to pay civil penalties to the State of Kansas as follows:

- 1) For engaging in a deceptive practice in connection with a consumer transactions as alleged in Count I, \$2,000.00;
- 2) For engaging in an unconscionable practice in connection with a consumer transaction as alleged in Count II, \$5,000.00;
- 3) For engaging in a deceptive practice in connection with a consumer transaction as alleged in Count III, \$5,000.00;
- 4) For engaging in an unconscionable practice in connection with a consumer transaction as alleged in Count IV, \$5,000.00;
- 5) For engaging in a deceptive practice in connection with a consumer transaction as alleged in Count V, \$5,000.00;
- 6) For engaging in an unconscionable practice in connection with a consumer transaction as alleged in Count VI, \$5,000.00; and
- 7) For engaging in a deceptive practice in connection with a consumer transaction as alleged in Count VII, \$2,000.00.

I. Defendant is ordered to pay reasonable investigation expenses to the Office of the Attorney General in the amount of \$1,375.00.

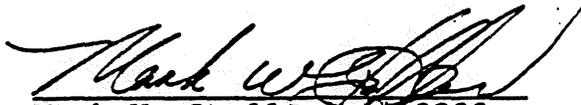
J. Costs of this action are assessed against defendant.

IT IS SO ORDERED.

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DISTRICT COURT JUDGE

PREPARED AND APPROVED:



Mark W. Stafford, #13233  
Assistant Attorney General  
Office of the Attorney General  
Kansas Judicial Center  
Topeka, Kansas 66612-1597

Attorney for plaintiff