97-032

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS DIVISION NINE

STATE OF KANSAS, ex rel.,)	
CARLA J. STOVALL, Attorney General,)	
Plaintiff,)	
Vs.)	Case No. 97-CV-682
RALPH WEBER, d/b/a DIRECTIONAL CONSULTING INSTITUTE,))•)	
Defendant.)	

JOURNAL ENTRY

This matter comes on for trial determination of the issues herein. The parties have submitted final briefs and the Court is otherwise fully advised in the premises. The Petitioner's motion for damages is sustained.

The Court has already permanently enjoined the Defendant from conducting any further business in Kansas pursuant to the petition. The issue left for determination is whether the Court should grant damages to Petitioners pursuant to K.S.A. 50-632.

The Court will award the following:

1) \$1,007.70 for reasonable investigative fees and expenses.

2) There is little dispute there are 318 violations, including 241 Kansas consumers, 22 advertisements, and 55 meetings. The Petitioner is asking for damages in the amount of \$400.00 per violation.

The record does suggest that the Defendant attempted to cure some of the problems he created. The Defendant did not appear to act out of any malice towards Kansas consumers. He is a war veteran and family man.

Nonetheless, the Defendant also has had his real estate license suspended in Minnesota for illegal securities activities, so there is a proclivity of this Defendant to deceive the public.

Therefore, the Court awards the sum of \$100.00 for each of the 318 violations or \$31,800.00.

Thus, the total sum owed by Defendant to Petitioner is \$32,807.70.

This Journal Entry shall serve as the final order of the Court, no further journal entry being required.

DATED at Topeka, Kansas this day of August, 1997.

CHARLES E. ANDREWS, BR.
JUDGE OF THE DISTRICT COURT