James J. Welch, #09546 Assistant Attorney General Office of the Attorney General Kansas Judicial Center Topeka, Kansas 66612-1597 (913) 296-3751 PRODUCTION OF THE SE TOPEKA. MANDA.

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS Division 6

STATE OF KANSAS, ex rel. CARLA J. STOVALL, Attorney General,)
Plaintiff,)
VS.) Case No. 97 CV 041
POWERBASE,	
Defendant.)
(Pursuant to K.S.A. Chapter 60)	<i></i>

MOTION AND ORDER FOR DEFAULT JUDGMENT

COMES NOW the plaintiff, State of Kansas, ex rel. Carla J. Stovall, Attorney General, by and through James J. Welch, Assistant Attorney General, and for her motion alleges and states as follows:

- 1) On or about January 13, 1998, the plaintiff brought suit against the defendant, Powerbase, for enforcement of a subpoena pursuant to K.S.A. §77-624(a) and K.S.A. §50-631(e).
- 2) To date, defendant has failed to respond to the plaintiff's petition or otherwise plead.
- 3) Pursuant to K.S.A. §50-631(e)(1) and (2), the court may grant injunctive relief restraining the sale or advertisement of any merchandise or issue any other relief as may be

required.

4) The basis for the complaint filed with the Attorney General's Consumer

Protection Division is violations of the Kansas Consumer Protection Act, K.S.A. §50-623 et seq.

WHEREFORE, plaintiff prays that the court issue an order restraining the defendant from the sale or advertisement of any merchandise or services, and further relief as the court deems just and equitable.

SO ORDERED.

Honorable Terry L. Bullock

District Judge Sixth Division

Respectfully submitted,

OFFICE OF THE ATTORNEY GENERAL CARLA J. STOVALL

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Attorney for plaintiff