

FILED

2009 JAN 23 AM 8:36

CLERK OF DISTRICT COURT  
RENO COUNTY, KANSAS

IN THE DISTRICT COURT OF RENO COUNTY, KANSAS

STATE OF KANSAS, *ex rel.*, )  
 STEVE SIX, Attorney General, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 VINTAGE STOVES, INC., )  
 d/b/a Vintage Stoves by Stevan Thomas, )  
 )  
 and )  
 )  
 STEVAN THOMAS RADAKOVICH, )  
 individually, a/k/a Stevan Thomas, )  
 )  
 Defendants. )

Case No. 08 CV 626

(Pursuant to K.S.A. Chapter 60)

JOURNAL ENTRY OF DEFAULT JUDGMENT

COMES NOW, on this \_\_\_ day of January, 2009, the Plaintiff's Motion for Default Judgment before this Court for consideration. The State of Kansas, *ex rel.* Steve Six, appears by and through Assistant Attorney General, Tai J. Vokins. Defendants appear not.

WHEREUPON, after reviewing the Court's file and Plaintiff's Motion for Default Judgment, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on January \_\_\_, 2009.
2. Plaintiff's Motion for Default Judgment is predicated upon Defendants' failure to file an Answer to Plaintiff's Petition which was filed on December 2, 2008.
3. A copy of the Summons and a copy of the Petition were served upon Defendants by personal service on December 16, 2008.

4. Defendants failed to file an Answer within twenty days after being served with process, as required by K.S.A. 60-212(a).

5. Notice of default judgment was served upon Defendants by certified mail, return receipt delivery on December 30, 2008.

6. The service requirements of K.S.A. 60-254(c) have been met in this case.

7. Pursuant to K.S.A. 60-255, Defendants are in default.

6. The legal arguments and authorities set forth in Plaintiff's Motion and Memorandum of Default Judgment are adopted by the Court as its conclusions of law as though fully set forth herein.

**IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED** that Plaintiff's Motion for Default Judgment is granted.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that judgment is hereby entered in favor of Plaintiff on all counts of the Petition.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that the alleged violations of the Kansas Consumer Protection Act are declared to be deceptive and unconscionable.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants be permanently enjoined from the enumerated deceptive and unconscionable acts and practices, pursuant to K.S.A. 50-632(a)(2).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants be permanently enjoined from engaging in any consumer transactions as a supplier within the State of Kansas.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$192,884.51 as restitution to all consumers listed the Plaintiff's original petition,

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay full restitution to any aggrieved consumers revealed at a future date,

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$10,000.00 in civil penalties for each violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-636(a), in this case amounting to \$470,000.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$7,500.00 in investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay all court costs.

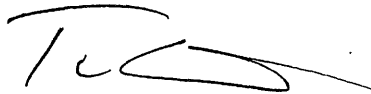
**IT IS SO ORDERED.**



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District Court Judge

Submitted by:



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Attorney for Plaintiff