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K.S. DISTRICT COURT
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Joseph N. Molina, #20934
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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 7

STATE OF KANSAS, ex rel.,
PHILL KLINE, Attorney General,

Plaintiff,

v.

NATIONAL CAMPAIGN TO STOP PORNOGRAPHY FUND

Defendant.

Case No. 06-C-1024

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

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this 13th day of July, 2006, Plaintiff's Journal Entry of Consent Judgment comes before the Court pursuant to K.S.A. §17-1767(a). Plaintiff, the State of Kansas, ex rel, Phill Kline, Attorney General, appears by and through Joseph N. Molina, Assistant Attorney General. Defendant appears by and through Car Thompson

JM

Whereupon, the Parties advise the Court that they have stipulated and agreed to the following matters:

1. Phil Kline is the Attorney General for the State of Kansas.
2. The Attorney General's Authority to bring this action is derived from the statutory and common law of the State of Kansas, specifically the Kansas Charitable Organizations and Solicitations Act, K.S.A. 17-1759 et seq.
3. Defendant is a non-profit corporation organized under the laws of the state of Oklahoma. The principal office of the corporation is located at 1050 East 2nd

Street, PMB 212, Edmond, Oklahoma, 73034. All references to Defendant herein includes acts individually, in concert, or by or through employees, agents, representatives, affiliates, assignees and successors.

4. Defendant is a "charitable organization", as defined by K.S.A. 17-1760(a) and has engaged in the "solicitation" of funds as defined by K.S.A. 17-1760(f).

5. Defendant solicits funds by contacting Kansas consumer via telephone and requesting them to directly contribute to the Defendant or in the alternative subscribe to an affiliated organization who will contribute funds to the Defendant after the consumer has signed up for service.

6. The Court has personal and subject matter jurisdiction over the parties for the sole purpose of entering into this Consent Judgment and any subsequent enforcement thereof.

7. Defendant stipulates and waives any objection to venue in Shawnee County for the sole purpose of entering into this Consent Judgment and any subsequent enforcement thereof.

ALLEGATIONS

8. The Attorney General alleges that Defendant engaged in the following acts and practices:

- a. Failed to file a registered statement with the Kansas Secretary of State as a charitable organization prior to soliciting funds in the state of Kansas;
- b. Place undue pressure on Kansas consumer who objected to receiving charitable solicitation by continually contacting them via telephone pre-recorded messages.

9. The Attorney General alleges that these acts and practices described in paragraph Eight (8) herein are deceptive and/or unconscionable acts and practices in violation of Kansas Statutes Annotated (K.S.A.) 17-1760; 17-1763; 17-1769.

INJUNCTIVE RELIEF

10. Defendant voluntarily agrees to this Consent Judgment without trial or adjudication of any issue of fact or law.

11. Defendant agrees to refrain from and to be permanently enjoined from engaging in those acts and practices alleged to be unconscionable in Paragraph Eight (8) of this Consent Judgment.

12. Defendant agrees to file a registered statement with the Kansas Secretary of State prior to engaging in any solicitations as required by K.S.A. 17-1763, *et seq.*

13. Defendant agrees to make available and/or disclose and/or publish the provisions of this Consent Judgment to its employees, agents and representatives within five days of signing the Consent Judgment.

14. Defendant agrees to be permanently enjoined from entering into, forming, organizing or reorganizing into any partnership, corporation, sole proprietorship or any other legal structures, for the purpose of avoiding compliance with the terms of this Consent Judgment.

15. Defendant further agrees to comply with all rules and regulations set forth under the Charitable Organizations and Solicitations Act, K.S.A. 17-1759 *et seq.*

16. Defendant agrees to cease placing undue pressure on Kansas consumers who object to receiving Defendant's charitable solicitation and to register for the Kansas No-Call List as supplied by the National Do Not Call Registry.

17. Defendant also agrees to maintain an internal do not call list of all Kansas consumers who object to receiving Defendant's charitable solicitation and to cease contacting such consumers who object to receiving such solicitations.

18. The provisions of this Consent Judgment will be applicable to Defendant, and every employee, agent or representative of Defendant.

PENALTIES AND FEES

19. Defendant agrees to pay \$5,000.00 in civil penalties and investigative fees to the "Office of the Attorney General" of the State of Kansas. The Defendant shall tender to the Office of the Attorney General \$5,000.00 at the time of signing this agreement. All payment shall be made by cashier's check, payable to the Office of the Attorney General, and shall be delivered to the Attorney General of the State of Kansas at the time of Defendant's signing this Consent Judgment.

20. The Defendant further agrees that this judgment shall not be discharged in bankruptcy pursuant to the United States Bankruptcy Code, specifically 11 U.S.C. 523(a)(2)(A) and (a)(7).

21. Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Consent Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of violations thereof.

22. If any portion, provision, or part of this Consent Judgment is held to be invalid, unenforceable, or void for any reason whatsoever, that portion shall be severed from the remainder and shall not affect the validity or enforceability of the remaining provisions, portions or parts.

23. Compliance with this Consent Judgment does not relieve Defendant of any obligation imposed by applicable federal, state, or local law, nor shall the Attorney General be precluded from taking appropriate legal action to enforce civil or criminal statutes under his jurisdiction.

24. The parties understand that this Consent Judgment shall not be construed as an approval of or sanction by the Attorney General of the business practices of Defendant nor shall Defendant represent the decree as such an approval. The parties

further understand that any failure by the State of Kansas or by the Attorney General to take any action in response to any information submitted pursuant to the Consent Judgment shall not be construed as an approval of or sanction of any representations, acts or practices indicated by such information, nor shall it preclude action thereon at a later date.

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 fact and conclusions of law of the Court and any monies owed hereunder by Defendant immediately become a judgment upon filing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment is entered against Defendant in favor of Plaintiff in the amount of \$5,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant pay all costs associated with this action.

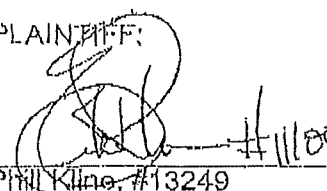
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Kansas Consumer Protection Act, and the provisions of K.S.A. §17-1773(a), the Court hereby approves the terms of the Consent Judgment and adopts the same as the order of the Court.

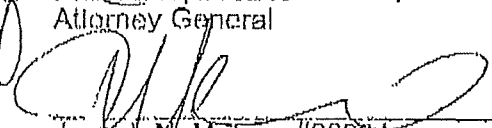
IT IS SO ORDERED


DISTRICT COURT JUDGE

Prepared and approved by:


PLAINTIFF:


Phil Kline, #13249
Attorney General

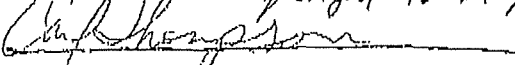

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Attorneys for Plaintiff

DEFENDANT:


Eric Rastner
Attorney for Defendant

Attorney for Defendant

National Campaign To Stop Pornography Fund

Carl Thompson