

Robert Reynolds, #27703
Assistant Attorney General
Office of the Kansas Attorney General
120 S.W. 10th Avenue, 2nd Floor
Topeka, Kansas 66612-1597
Tel: (785) 296-3751
Fax: (785) 291-3699
robert.reynolds@ag.ks.gov

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KS. DISTRICT COURT
THIRD JUDICIAL DIST.
TOPEKA, KS
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**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 7**

**STATE OF KANSAS, *ex rel.*,
DEREK SCHMIDT, Attorney General,**

Plaintiff,

v.

**LEON F. JACKSON JR, an individual;
DBA PAVE THE WAY;
Defendant.**

Case No.: 18-CV-000548

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

**ORDER OF DEFAULT JUDGMENT
AGAINST LEON F. JACKSON D/B/A PAVE THE WAY AND PERMANENT
RESTRAINING ORDER**

NOW on this day, the Plaintiff's Motion for Default Judgment against Defendant comes before this Court for consideration. The State of Kansas, *ex rel.* Derek Schmidt, appears by and through Assistant Attorney General, Robert Reynolds. Defendant Leon F. Jackson Jr. d/b/a Pave the Way ("Defendant") appear not.

WHEREUPON, after reviewing the Court's file and Plaintiff's Motion for Default Judgment against Defendant ("Plaintiff's Motion"), the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on November 19, 2018.

2. Plaintiff's Motion is predicated upon the Defendants' failure to file an Answer to Plaintiff's Petition which was filed on July 16, 2018.

3. On July 25, 2018, the Fremont County, Colorado Sheriff personally served copies of the Petition and Alias Summons on the Defendant at the Arrowhead Correctional Center, HWY 50 E And Evans, Canon City, Colorado at 8:55 a.m., pursuant to K.S.A. §60-303(d)(1)(C).

4. The Defendant failed to file an Answer within thirty days after being served with process, as required by K.S.A. §60-308(a)(3).

5. Pursuant to K.S.A. §60-255, the Defendant is in default on August 24, 2018.

6. The legal arguments and authorities set forth in Plaintiff's Motion 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 against Defendant is granted.

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

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the acts and practices alleged in Plaintiff's Petition be declared deceptive and in violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-626 and K.S.A. 50-640.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the acts and practices alleged in Plaintiff's Petition be declared unconscionable and in violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-627.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Jackson and any employees, agents, representatives, affiliates, assignees and successors, be permanently enjoined from engaging in acts alleged in Plaintiff's Petition to be violations of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-632(c)(1).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED Defendant and any

employees, agents, representatives, affiliates, assignees and successors, be permanently enjoined from soliciting, advertising or otherwise engaging in consumer transactions in the State of Kansas, pursuant to K.S.A. 50-632(c)(2).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the Defendant is permanently enjoined, from conducting door-to-door transactions in the State of Kansas, pursuant to K.S.A. §50-640.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is hereby notified that he is permanently enjoined and expressly prohibited from conducting and making door-to-door sales, as defined in K.S.A. 50-640, in Kansas pursuant to the Kansas Consumer Protection Act, K.S.A. 50-623, *et seq.*, K.S.A. 21-6423, and pursuant to this Order.

Defendant is hereby notified that so long as this Order remains in place, if the Defendant participates, directly or indirectly, in any door-to-door sales in the state of Kansas in violation of this Order, Defendant may be subject to prosecution pursuant to K.S.A. 21-6423, a Level 9, Person Felony.

Defendant is hereby notified that so long as the Order remains in place, if the Defendant causes, directs, employs, enables or assists others in engaging in door-to-door sales in the state of Kansas in violation of this Order Defendant is committing a crime and may be subject to prosecution pursuant to K.S.A. 21-6423, a Level 9, Person Felony.

Defendant is hereby notified that the criminal liability imposed by K.S.A. 21-6423 does not relieve Defendant of any civil liability for violating the terms of this Order or any other judgments and civil sanctions and liability may be imposed in addition to any authorized criminal penalties.

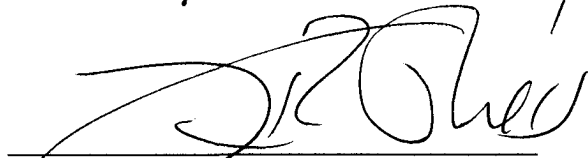
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the Defendant pay \$2,750.00 in consumer restitution, to be distributed by Plaintiff to the consumer referenced in Plaintiff's Motion for Default against Defendant, pursuant to K.S.A. §50-632.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the Defendant pay reasonable investigative fees and expenses to the Office of the Kansas Attorney General, pursuant to K.S.A. §50-632, in this case amounting to \$2,046.46.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the Defendant pay \$10,000.00 in civil penalties for the violation of the Kansas Consumer Protection Act alleged in Plaintiff's Petition, pursuant to K.S.A. §50-636.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the Defendant pay all court costs and all costs associated with distributing and executing on any restitution or judgment made by this Court.

IT IS SO ORDERED, this 28th day of February, 2018.



The Honorable Judge Franklin Theis
District Court Judge

Submitted by:

/s/ Robert Reynolds
Robert Reynolds, #27703
Assistant Attorney General
Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, Kansas 66612
(785) 296-3751
robert.reynolds@ag.ks.org