

ELECTRONICALLY FILED
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CLERK OF THE SMITH COUNTY DISTRICT COURT
CASE NUMBER: 2021-CV-000009



Court: Smith County District Court
Case Number: 2021-CV-000009
Case Title: Office of the Kansas Attorney General vs. Quincy Justus
Type: Order for Default Judgment

SO ORDERED.

A handwritten signature in black ink, appearing to read "Preston A. Pratt".
A circular seal for the Smith County District Court. The outer ring contains the text "SMITH COUNTY, KANSAS" and "DISTRICT COURT". The inner circle contains the word "SEAL".

/s/ Honorable Preston A. Pratt, Chief District Judge

Kimberley Davenport Megrail, #28078
Assistant Attorney General
Office of the Kansas Attorney General
120 S.W. 10th Avenue, 2nd Floor
Topeka, Kansas 66612-1597
Tel: (785) 368-6644
Fax: (785) 291-3699
Kim.Davenport@ag.ks.gov

**IN THE DISTRICT COURT OF SMITH COUNTY, KANSAS
SEVENTEENTH JUDICIAL DISTRICT**

STATE OF KANSAS, *ex rel.*)
DEREK SCHMIDT, Attorney General,)
)
Plaintiff,)
)
v.)
)
QUINCY JUSTUS, an individual,)
d/b/a JAQ’s ULTIMATE SERVICES,)
)
Defendant.)

Case No.: 2021-CV-000009

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

ORDER FOR DEFAULT JUDGMENT

NOW on this date, this matter comes before the Court on for Plaintiff’s Motion for Default Judgment against Defendant Quincy Justus, an individual, doing business as JAQ’s Ultimate Services. State of Kansas, *ex rel.* Derek Schmidt, Attorney General, appears by and through counsel, Kimberley Davenport Megrail, Assistant Attorney General. Defendant Quincy Justus appears not and is in default.

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 on June 24, 2021.
2. Plaintiff's Motion for Default Judgment is predicated on Defendant's failure to file an answer to the Plaintiff's Petition, which was filed on May 26, 2021. The Petition and Summons were served on the Defendant on May 28, 2021 by Federal Express at Defendant's last known address on file with the court, as authorized by K.S.A. 60-303(c)(1).
3. Defendant failed to file an Answer within twenty-one (21) days after being served with process, as required by K.S.A. 60-212(a).
4. Defendant is not a minor or an incapacitated person.
5. Defendant is in default pursuant to K.S.A. 60-255.
6. The factual allegations set forth in the Plaintiff's Motion for Default Judgment are adopted by the Court as its findings of fact and 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 against Defendant and in favor of Plaintiff.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant's acts and practices referred to in Plaintiff's Petition are deceptive and unconscionable, and as such, are in violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-632(a)(1).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant and their officers, directors, employees, shareholders and agents, if any, are permanently enjoined from these and other practices in violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-632.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant be temporarily enjoined from soliciting and operating as a roofing contractor in the state of Kansas unless and until such time Defendant obtains a roofing contractor registration issued by the OAG, pursuant to K.S.A. 50-632(c)(6).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay restitution in the amount of Five Thousand Dollars (\$5,000.00) to Consumer M.M. to be disbursed through the Plaintiff.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay civil penalties in the amount of Fifty Thousand Dollars (\$50,000.00) or such other amount as the Court finds reasonable in civil penalties for each violation of the KCPA which the Court determines occurred, pursuant to K.S.A. 50-636(a).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay enhanced civil penalties in the amount of Forty Thousand Dollars (\$40,000.00) or such other amount as the Court finds reasonable in enhanced civil penalties for each violation of the KCPA which the court determines was committed against a protected class pursuant to K.S.A. 50-676 and K.S.A. 50-677.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay court costs and all other costs associated with collecting, distributing and executing on any restitution or judgment made by this Court and such other relief as the Court may deem just and appropriate.

IT IS SO ORDERED.

**THIS ORDER IS EFFECTIVE AS OF THE DATE AND TIME SHOWN ON THE
ELECTRONIC FILE STAMP.**

Prepared and submitted by:

/s/ Kimberley Davenport Megrail
Kimberley Davenport Megrail, #28078
Assistant Attorney General
Office of the Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, Kansas 66612-1597
Phone: (785) 368-6644
Fax: (785) 291-3699
Kim.Davenport@ag.ks.gov