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CLERK OF THE MCPHERSON COUNTY DISTRICT COURT
CASE NUMBER: 2021-CV-000036



Court: McPherson County District Court
Case Number: 2021-CV-000036
Case Title: Office of the Kansas Attorney General vs. Justin Farmer LLC, et al.
Type: Order for Default Judgment

SO ORDERED.

A handwritten signature in black ink, appearing to read "John J. Klenda". The signature is written in a cursive style with a long, sweeping tail.

/s/ Honorable John Klenda, District Court Judge

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**IN THE DISTRICT COURT OF MCPHERSON COUNTY, KANSAS
NINTH JUDICIAL DISTRICT**

STATE OF KANSAS, <i>ex rel.</i>)	
DEREK SCHMIDT, Attorney General,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 2021-CV-000036
)	
JUSTIN FARMER LLC,)	
AND JUSTIN FARMER, an individual,)	
d/b/a CERTIFIED EXTERIORS,)	
)	
Defendants.)	

(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 Justin Farmer LLC and Defendant Justin Farmer, an individual, doing business as Certified Exteriors. State of Kansas, *ex rel.* Derek Schmidt, Attorney General, appears by and through counsel, Kimberley Davenport Megrail, Assistant Attorney General. Defendant Justin Farmer LLC and Defendant Justin Farmer appear not and are 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 August 5, 2021.

2. Plaintiff's Motion for Default Judgment is predicated on Defendants' failure to file an answer to the Plaintiff's Petition, which was filed on June 1, 2021. The Petition and Summonses were served on the Defendants on July 1, 2021, July 2, 2021, and July 3, 2021 by residential service and by U.S. Certified Mail – Return Receipt Requested through the United States Postal Service, as authorized by K.S.A. 60-303(c)(1).

3. Defendants 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. Defendants are not minors or incapacitated persons.

5. Defendants are 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 Defendants and in favor of Plaintiff.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendants' 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 Defendants 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(a)(2).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendants be temporarily enjoined from soliciting and operating as a roofing contractor in the state of Kansas unless and until such time Defendants obtain a roofing contractor registration issued by the Office of the Kansas Attorney General, pursuant to K.S.A. 50-624(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendants pay civil penalties in the amount of One Hundred Thousand Dollars (\$100,000.00) 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 Defendants 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.

Respectfully submitted,

/s/ Kimberley Davenport Megrail

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