



Court: Shawnee County District Court
Case Number: 2019-CV-000197
Case Title: State of Kansas ex rel Derek Schmidt Atty General
vs. Michael Quinn
Type: Order for Injunctive Relief

SO ORDERED.

A handwritten signature in black ink, appearing to read "T. Watson", written in a cursive style.

/s/ Honorable Teresa L Watson, District Court Judge

2. Plaintiff filed a Petition for Enforcement of Subpoena, along with an Affidavit and Exhibits, against the Defendant on March 14, 2019, pursuant to K.S.A. 50-631(e).

3. On June 13, 2019, the Defendant was served with Plaintiff's Petition for Enforcement of Subpoena and Memorandum in Support with attached Affidavit and Exhibits, a Notice of Hearing and a summons to answer the Petition within thirty (30) days of service.

4. The Defendant failed to file an Answer to Plaintiff's Petition, or otherwise plead, or contact the Plaintiff.

5. Pursuant to K.S.A. 60-255, the Defendant is now in default.

6. On July 19, 2019, at 10:00 a.m., a hearing was held on the Petition for Enforcement of Subpoena. The Defendant failed to appear at the scheduled hearing.

7. The Plaintiff presented testimony of Investigator Kyle Strathman with the Office of the Kansas Attorney General's Office regarding the nature of the complaint against the Defendant. Specifically, Investigator Strathman testified that a complaint was filed with the Office of the Kansas Attorney General regarding the Defendant's company providing a roofing service estimate to a Kansas resident/consumer at a time when Defendant was not registered as a roofing contractor with the Office of the Kansas Attorney General. This is the information that led to issuance of the subpoena at hand. Investigator Strathman also testified that the service address for the Defendant was obtained from the estimate submitted with the complaint and also verified through the Defendant's company listing with the Missouri Secretary of State. Investigator Strathman testified that all the information in the Affidavit he filed with Plaintiff's Petition was correct to the best of his knowledge.

8. The factual allegations set forth from the evidence presented in the July 19, 2019 hearing on the Petition and in the Plaintiff's Petition for Enforcement of Subpoena together with the attached Affidavit and Exhibits 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 request for injunctive relief are granted;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is compelled to respond to the subpoena served on September 19, 2018;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is enjoined from destroying, disposing of, or otherwise concealing the evidence requested by the subpoena, or any other evidence relevant to the investigation, including any such evidence stored in electronic format;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is enjoined from advertising, soliciting, performing, accepting payments for, supervising, operating or in any manner conducting any business related to the sale of property or services as defined in K.S.A. 50-624 within the State of Kansas until such time as the Court finds the Defendant is in compliance with the subpoena;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is enjoined from engaging in any consumer transactions as defined by K.S.A. 50-624(c) until such time as the Court finds the Defendant is in compliance with the subpoena;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is enjoined from moving, liquidating or in any way releasing any funds obtained by Defendants as a

result of any consumer transaction with any Kansas consumer until such time as the Court finds the Defendant is in compliance with the subpoena;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant is enjoined from engaging in any corporate or non-corporate reorganization, reconstruction, dissolution, bankruptcy or any other business entity restructuring or reforming without prior, written notice to this Court and Plaintiff until such time as the Court finds the Defendant is in compliance with the subpoena;

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED the Defendant pay all Court Costs and all costs associated with executing this judgment.

IT IS SO ORDERED on the _____ day of _____, 2019.

This Order is effective upon filing with the Clerk of the Court.

The Honorable Judge Franklin Theis
District Court Judge

Submitted by:

/s/ Kimberley A. Davenport
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