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CLERK OF THE BOURBON COUNTY

CASE NUMBER: BB-2021-CV-000092

PII COMPLIANT



Court: Bourbon County

Case Number: BB-2021-CV-000092

Case Title: Office of the Kansas Attorney General
vs.
Rickey A Palmer

Type: Order for Default Judgment

SO ORDERED.

A handwritten signature in cursive script that reads "Terri L. Johnson".

/s/ Honorable Terri L. Johnson, District Court 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 BOURBON COUNTY, KANSAS
SIXTH JUDICIAL DISTRICT**

STATE OF KANSAS, <i>ex rel.</i>)	
DEREK SCHMIDT, Attorney General,)	
)	
Plaintiff,)	
)	
v.)	Case No.: BB-2021-CV-000092
)	
RICKEY A. PALMER,)	
An individual d/b/a PALMER AND SONS)	
AND d/b/a PALMER AND SONS)	
CONSTRUCTION,)	
)	
Defendant.)	
)	
<hr/>		
(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 Rickey A. Palmer, an individual, doing business as Palmer and Sons and doing business as Palmer and Sons Construction. State of Kansas, *ex rel.* Derek Schmidt, Attorney General, appears by and through counsel, Kimberley Davenport Megrail, Assistant Attorney General. Defendant Rickey A. Palmer 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 May 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 April 21, 2021. The Petition and Summons were served on the Defendant on April 23, 2021 by Federal Express at Defendant's Mapleton address which was contained on one of the previously court issued Summons, 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(a)(2).

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 Office of the Kansas Attorney General, pursuant to K.S.A. 50-624(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pays civil penalties in the amount of Seventy Thousand Dollars (\$70,000.00) 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 pays 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
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
Kim.Davenport@ag.ks.gov