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 KS. DISTRICT COURT  
 THIRD JUDICIAL DISTRICT  
 TOPEKA, KS *M*  
 2018 OCT 29 P 2:52

**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
 DIVISION 7**

<b>STATE OF KANSAS, <i>ex rel.</i></b>	)	
<b>DEREK SCHMIDT, Attorney General,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 2017-CV-96</b>
	)	
<b>EDDIE RAYMOND TIPTON, an individual,</b>	)	
<b><i>et al.</i></b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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(Pursuant to K.S.A. Chapters 60 and 75)

**ORDER OF SUMMARY JUDGMENT**

**AS TO DEFENDANT EDDIE RAYMOND TIPTON**

COMES BEFORE THE COURT on this date the Motion For Summary Judgment As To Defendant Eddie Raymond Tipton filed by Plaintiff State of Kansas *ex rel.* Attorney General Derek Schmidt, by and through counsel Assistant Attorney General Kathryn Carter. There are no appearances.

Having reviewed the pleadings, being duly advised in the premises, the Court finds as follows:


1. Plaintiff filed its Motion for Summary Judgment as to Defendant Tipton on August 27, 2018.

2. Defendant Tipton was served with the Motion for Summary Judgment on August 30, 2018.

3. Defendant has not filed a response to the motion.

4. Defendant Tipton has been given due notice of the present matter.

5. Defendant Tipton committed two (2) violations of the Kansas False Claims Act by getting false or fraudulent claims, in the form of two lottery tickets, allowed or paid, in violation of K.S.A. 2016 Supp. 75-7503(a)(3).

6. Defendant Tipton shall pay civil penalties in the amount of \$11,000.00 for <sup>each of two</sup> ~~each~~ violation~~s~~ of the Kansas False Claims Act, in the aggregate of \$22,000, as provided by K.S.A. 2016 Supp. 75-7503(a). 

7. Net damages sustained by the Kansas Lottery equal \$41,807.60.

8. Defendant Tipton is jointly and severally liable for damages to the State of Kansas for three times the amount of damages which the Kansas Lottery sustained as a consequence of the acts of Defendant Tipton, as provided by K.S.A. 2016 Supp. 75-7503(a), in the total amount of \$125,422.80.

9. Defendant Tipton shall pay investigative and attorney fees in the amount of \$5,000 to the Office of the Kansas Attorney General, as provided by K.S.A. 2016 Supp. 75-7503(a).

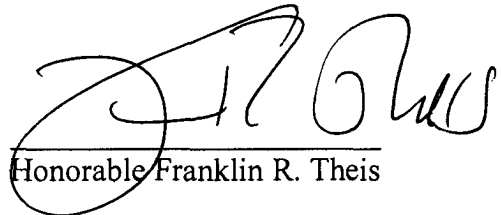
10. Defendant Tipton shall pay all Court costs and all costs associated with distributing and executing on any judgment made by this Court.

11. All payments shall be made to the Kansas Attorney General's Office marked with the case number 2017-CV-96.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that judgment shall be granted against Defendant Eddie Raymond Tipton in favor of Plaintiff, as follows:

- A. Civil penalties in the amount of \$22,000 for two violations of the Kansas False Claims Act;
- B. Enhanced damages in the amount of \$125,422.80, for which Defendant Tipton is jointly and severally liable;
- C. Investigative and attorney fees in the amount of \$5,000;
- D. An order that Defendant Tipton pay all Court costs and all costs associated with distributing and executing on any judgment made by this Court;
- E. An order that all payments shall be made to the Kansas Attorney General's Office marked with case number 2017-CV-96.

**IT IS SO ORDERED**, this 29<sup>th</sup> day of October, 2018.

  
Honorable Franklin R. Theis

Respectfully Submitted,

/s/ Kathryn Carter  
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