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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division I

STATE OF KANSAS, *ex rel.* DEREK SCHMIDT, Attorney General, Plaintiff, v. PRECISE ENTERPRISES LLC Defendant.	))))))))))))	Case No. 13 C 1149

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

ORDER OF DEFAULT JUDGMENT

NOW, on this _20_ day of _Dec_ , 201_3_, Plaintiff's Motion for Default Judgment and Memorandum in Support ("Plaintiff's Motion for Default Judgment") comes before this Court for consideration. The State of Kansas, *ex rel.* Derek Schmidt, appears by and through counsel, Assistant Attorney General Meghan E. Stoppel. Defendant appears not.

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 December 19, 2013.

2.   Plaintiff's Motion for Default Judgment is predicated upon Defendant's failure to file an Answer to Plaintiff's Petition which was filed on October 7, 2013.

3.   A copy of the Petition and the Summons were served upon Defendant, care of its registered agent Spiegel & Utrera, P.A. at 4727 Wilshire Boulevard, Suite 601, Los Angeles, California 90010, on October 15, 2013, pursuant to K.S.A. 60-303(c) and 60-304(e).

4.   Defendant failed to file an Answer within thirty days after being served with process, as required by K.S.A. 60-308(a)(3).

5.   Defendant is not a minor or incapacitated person.

6.   Pursuant to K.S.A. 60-255, Defendant is in default.

7.   On December 7, 2013, Plaintiff served a Notice of Default Judgment Amount ("Notice") upon Defendant, pursuant to K.S.A. 60-254(c).

8.   The factual allegations set forth in 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 on all counts of the Petition.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the acts and practices alleged in Plaintiff's Petition are declared to be unconscionable and in violation of the Kansas Consumer Protection Act.
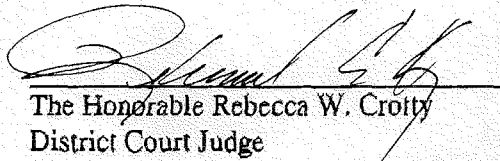
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant and Defendant's employees and agents are permanently enjoined from engaging in the acts and practices alleged in Plaintiff's Petition to be violations of the Kansas Consumer Protection Act.

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IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay reasonable investigative fees and expenses to the Office of the Kansas Attorney General, pursuant to K.S.A. 50-632(a)(4) and 50-670a(m), in this case amounting to $1,500.00.
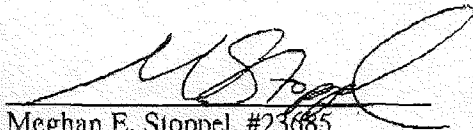
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay $10,000.00 in civil penalties for each violation of the Kansas Consumer Protection Act alleged in Plaintiff's Petition, pursuant to K.S.A. 50-636 and 50-670a(m), in this case amounting to $310,000.00.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay all court costs and all costs associated with distributing and executing on this Judgment.

IT IS SO ORDERED.

The Honorable Rebecca W. Crotty
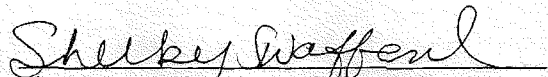District Court Judge

Submitted by:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by first class mail, postage prepaid, on December 23rd, 2013 to:

Meghan E. Stoppel
Assistant Attorney General
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120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

Precise Enterprises LLC
Spiegel & Ultera, P.A., Registered Agent
4727 Wilshire Blvd, Ste 601
Los Angeles, CA 90010

Shelby Swafford
Shelby Swafford, Administrative Assistant