

MR

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THIRD JUDICIAL DIST.
TOPEKA, KS

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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 7

STATE OF KANSAS, *ex rel.*)
DEREK SCHMIDT, Attorney General,)
)
Plaintiff,)
)
v.)
)
COUNTRYWIDE SHINGLE & SIDING LLC)
)
Defendant.)

Case No. 12 C 319

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

ORDER OF DEFAULT JUDGMENT

NOW, on this 19th day of June, 2012, Plaintiff's Motion for Default Judgment comes before this Court for consideration. The State of Kansas, *ex rel.* Derek Schmidt, appears by and through Assistant Attorney General, Meghan E. Stoppel. Defendant appears not.

WHEREUPON, after reviewing the Court's file and Plaintiff's Motion for Default Judgment and Memorandum in Support, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on June 1, 2012.
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 March 22, 2012.

3. A copy of the Petition and an Alias Summons were served upon Defendant, care of its Registered Agent Jack E. Jones at 23960 Genesee Village Road, Golden, Colorado 80401, on April 24, 2012, 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. The legal arguments and authorities set forth in Plaintiff's Motion for Default Judgment and Memorandum in Support 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 Plaintiff's Motion for Default Judgment is granted.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that judgment is hereby entered against Defendant, in favor of Plaintiff on all counts of the Petition.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the alleged violations of the Kansas Consumer Protection Act are declared to be unconscionable.

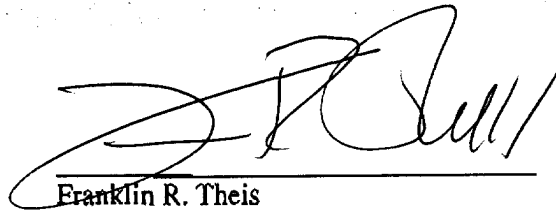
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant and Defendant's employees and agents be permanently enjoined from engaging in the acts alleged in Plaintiff's Petition to be violations of the Kansas Consumer Protection Act.

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 \$40,000.00.


IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay all court costs and all costs associated with distributing and executing on any restitution or judgment made by this Court.

IT IS SO ORDERED.



Franklin R. Theis
District Court Judge

Submitted by:



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