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TOPEKA, KS

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**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS**  
**Division 6**

STATE OF KANSAS, *ex rel.* )  
DEREK SCHMIDT, Attorney General, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ORBITAL PUBLISHING GROUP, INC. )  
d/b/a )  
PUBLISHERS (UNITED) BILLING AGENCY )  
a/k/a PUBLISHERS BILLING EXCHANGE )  
a/k/a PUBLISHERS (UNITED) BILLING SERVICES )  
a/k/a UNITED PUBLISHERS SERVICES )  
a/k/a PUBLISHERS BILLING ASSOCIATION )  
a/k/a PUBLISHERS PERIODICAL SERVICE )  
a/k/a NATIONAL MAGAZINE SERVICES )  
 )  
Defendant. )

Case No. 11 C 632

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

**ORDER OF DEFAULT JUDGMENT**

NOW, on this 13<sup>th</sup> day of July, 2011, the Plaintiff's Motion for Default Judgment against Defendant 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, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on July 11, 2011.
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 May 25, 2011.
3. A copy of the Summons and the original Petition were served upon Defendant Orbital Publishing Group, Inc. care of Registered Agent, Advantage Corporation Services, Inc. at 450 Hillside Drive, Bldg. B, Ste. 200, Mesquite, Nevada 89027 on June 7, 2011, pursuant to K.S.A. §60-304(e) and §60-303(c).
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. Pursuant to K.S.A. §60-255, Defendant is in default.
6. The legal arguments and authorities set forth in Plaintiff's Motion and Memorandum of Default Judgment are adopted by the Court as its 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 deceptive and unconscionable.

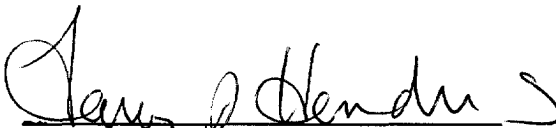
**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant and Defendant's employees and agents be permanently enjoined from engaging in the acts alleged in Plaintiff's Petition to be violations of the Kansas Consumer Protection Act.

**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, in this case amounting to \$5,000.00.


**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, in this case amounting to \$30,000.00.

**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.**

  
Larry D. Hendricks  
District Court Judge

Submitted by:

  
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