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K.S. DISTRICT COURT  
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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 12

STATE OF KANSAS, *ex rel.* )  
PHILL KLINE, Attorney General, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
HAAG OIL COMPANY, LLC )  
d/b/a HUNTINGTON PARK AMOCO )  
 )  
Defendant )

Case No. 06 C317

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

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this 7<sup>th</sup> day of March, 2006 Plaintiff's Journal Entry of Consent Judgment comes before the Court pursuant to K.S.A. 50-623(b). Plaintiff, the State of Kansas, *ex rel.* Phill Kline, Attorney General, appears by and through Bryan J. Brown, Deputy Attorney General. Defendant Haag Oil Company, LLC d/b/a Huntington Park Amoco appears by and through IDA HANG.

Whereupon, the parties advise the Court that they have stipulated and agreed to the following matters:

1. Phill Kline is the Attorney General of the State of Kansas.
2. The Attorney General's authority to bring this action is derived from the

statutory and common law of the State of Kansas, specifically the Kansas Consumer Protection Act, K.S.A. 50-623 *et seq.*

3. Defendant Haag Oil Company, LLC d/b/a Huntington Park Amoco (hereinafter "Defendant Haag Oil") is a Kansas corporation with a principal place of business located at 326 Southeast 15<sup>th</sup>, Topeka, Kansas 66607.
4. Defendant Haag Oil can be served with process through its resident agent Bernard J. Hickert, 2231 Southwest Wanamaker Road, Suite 101, Topeka, Kansas 66614.
5. The Court has subject matter and personal jurisdiction over this case pursuant to the Kansas Consumer Protection Act, K.S.A. 50-623, *et seq.*
6. Venue is proper in the Third Judicial District of Kansas (Shawnee County) pursuant to K.S.A. 50-638(b).
7. The Plaintiff alleges Defendant Haag Oil engaged in the following acts or practices in violation of the Kansas Consumer Protection Act, specifically K.S.A. 50-669b:

Defendant Haag Oil, a supplier which accepts credit cards or debit cards, engaged in an unconscionable act by printing more than the last five digits of the credit card or debit card account number and the card expiration date on a credit or debit card receipt issued to the cardholder.

8. Defendant Haag Oil voluntarily agrees to this Consent Judgment without trial or adjudication of any issue of fact or law.
9. Defendant Haag Oil agrees to refrain from and to be permanently enjoined from engaging in those acts and practices alleged to be unlawful and unconscionable in Paragraph Seven (7) of this Consent Judgment.

Defendant Haag Oil agrees that engaging in such acts or similar acts, after the date of this Consent Judgment, shall constitute a violation of this Order and civil penalties will be imposed for each subsequent violation.

10. The provisions of this Consent Judgment will be applicable to Defendant Haag Oil, and every employee, agent or representative of Defendant.
11. Defendant Haag Oil agrees to make available and/or disclose the provisions of this Consent Judgment to its employees, agents and representatives within five days of signing the Consent Judgment.
12. Defendant Haag Oil agrees to be permanently enjoined from entering into, forming, organizing or reorganizing into any partnership, corporation, sole proprietorship or any other legal structures, for the purpose of avoiding compliance with the terms of this Consent Judgment.
13. Defendant Haag Oil agrees to pay \$5,000.00 in civil penalties and investigative fees to the Office of the Attorney General of the State of Kansas. Payment shall be made by cashiers check(s), payable to the Office of the Attorney General, and shall be delivered to the Attorney General of the State of Kansas at the time of Defendant's signing this Consent Judgment.
14. Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Consent Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of violations thereof.
15. If any portion, provision, or part of this Consent Judgment is held to be

invalid, unenforceable, or void for any reason whatsoever, that portion shall be severed from the remainder and shall not affect the validity or enforceability of the remaining provisions, portions or parts.

16. Compliance with this Consent Judgment does not relieve Defendant Haag Oil of any obligation imposed by applicable federal, state, or local law, nor shall the Attorney General be precluded from taking appropriate legal action to enforce civil or criminal statutes under his jurisdiction.
17. The parties understand that this Consent Judgment shall not be construed as an approval of or sanction by the Kansas Attorney General of the business practices of Defendant Haag Oil nor shall Defendant represent the decree of such approval. The parties further understand that any failure by the State of Kansas or by the Attorney General to take any action in response to any information submitted pursuant to the Consent Judgment shall not be construed as an approval of or sanction of any representations, acts or practices indicated by such information, nor shall it preclude action thereon at a later date.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the stipulation and agreement of the parties contained herein are adopted and approved as the findings of fact and conclusions of law of the Court and any monies owed hereunder by Defendant Haag Oil immediately become a judgment upon filing.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that judgment is entered against Defendant Haag Oil in favor of Plaintiff in the amount of \$5,000.00.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant Haag

Oil pay all costs associated with this action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to the Kansas Consumer Protection Act, and the provisions of K.S.A. 50-632(b), the Court hereby approves the terms of the Consent Judgment and adopts the same as the order of the Court.

IT IS SO ORDERED.

  
JUDGE 3/7/06

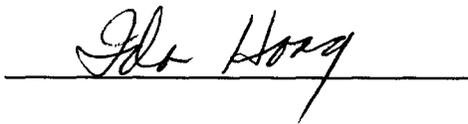
Prepared and approved by:  
PLAINTIFF:

  
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Phill Kline, #18249  
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Attorneys for Plaintiff

DEFENDANT:

  
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