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STATE OF KANSAS
JEFFERSON COUNTY
FILED

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SHERRY L. SEIFERT
CLERK OF DIST. COURT

IN THE DISTRICT COURT OF JEFFERSON COUNTY, KANSAS

STATE OF KANSAS, *ex rel.*,
PHILL KLINE, Attorney General,

Plaintiff,

v.

Daniel R. Dawson, Benjamin Joseph Nichelson
Richard John Williams, Richard Williams
William H. Williams, Alan's Paving and
Williams Asphalt

Defendants

Case No. 05 CV 135

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

AGREED ORDER RELEASING SEQUESTERED PROPERTY
AND FINAL ORDER REGARDING RESTITUTION

NOW ON THIS 10th DAY of February, 2005, there comes before the Court the Joint Motion of the Parties to Release Property and to approve a final restitution figure in this matter. Plaintiff, the State of Kansas, *ex rel.* Phill Kline, Attorney General, appears by and through counsel, James R. McCabria, Assistant Attorney General. Defendants Daniel R. Dawson, Benjamin Joseph Nichelson, Richard John Williams, Richard Williams, William H. Williams, Alan's Paving and Williams Asphalt appears by and through their attorney, Jake Jacoby. There are no other appearances.

WHEREUPON, the Parties advise the Court they have stipulated and agree to the following matters:

1) The parties had previously reached a settlement with regard to all issues herein except the amount of consumer damages owing, if any.

2) The parties submitted, and the Court approved, a Consent Judgment which journalized those issues on Nov. 21, 2005. The remaining issue of consumer restitution was left open and is the matter the parties have now resolved.

3) The parties agree, and the Court finds, that the sum of \$11,570.00, is appropriate as restitution to all named consumers in this matter and shall be distributed to the consumers by the Attorney General as follows:

Tom Morrisey - \$6,270.00

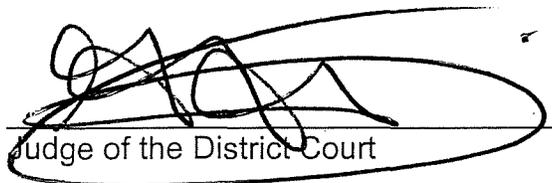
Dan Mazany - \$500.00

James Tillery - \$4,800.00

Any consumer not identified above shall not recover any restitution or other damages.

4) That all issues in controversy having been determined, all remaining property, including that certain Kenworth Dump Truck (VIN 1XKAD59X0RS616728) which the parties had agreed would remain in the possession of the Jackson County Sheriff, shall be released to Defendants, free and clear of any interest or claim of Plaintiff.

IT IS SO ORDERED.



Judge of the District Court

Order Releasing Property and
Final Restitution
Case No. 05 CV 135

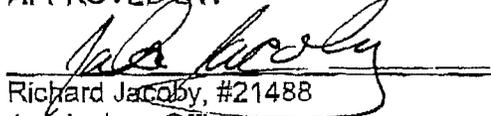
PREPARED AND APPROVED BY:



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