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FILED BY CLERK
K.S. DISTRICT COURT
THIRD JUDICIAL DIST.
TOPEKA, KS.

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 12

2008 AUG 7 PM 2 28

STATE OF KANSAS, *ex rel.*)
STEPHEN N. SIX, Attorney General,)
)
Plaintiff,)
)
v.)
)
CHARLES D. GIBBES,)
)
Defendant.)

Case No. 08-C-948

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

JOURNAL ENTRY OF DEFAULT JUDGMENT

COMES NOW, on this 5th day of August, 2008, the Plaintiff's Motion for Default Judgment before this Court for consideration. The State of Kansas, *ex rel.* Stephen N. Six, appears by and through Ryan Ludwig, Legal Intern, and Assistant Attorney General, Emilie Burdette Rush. 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 a Motion for Default Judgment and Memorandum in Support Thereof on August ___, 2008.
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 June 27, 2008.
3. A copy of the Summons and a copy of the Petition were served upon Defendant by certified mail on July 8, 2008.
4. Defendant failed to file an Answer within twenty days after being served with process, as required by K.S.A. 60-212(a).

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 that Plaintiff's Motion for Default Judgment is granted.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that judgment is hereby entered 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.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant be permanently enjoined from the enumerated deceptive acts and practices, pursuant to K.S.A. 50-632(a)(2).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant be permanently enjoined from engaging in door-to-door sales within the State of Kansas.

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, pursuant to K.S.A. 50-636(a), in this case amounting to \$30,000.00.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay \$900.00 in investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that

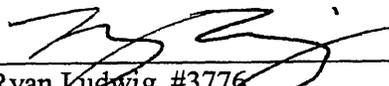
Defendant pay all court costs.

IT IS SO ORDERED.



Judge David E. Bruns

Submitted by:



Ryan Ludwig, #3776
Legal Intern



Emilie Burdette Rush, #22094
Assistant Attorney General
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Attorney for Plaintiff