

COPY

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 9

FILED BY CLERK  
KS. DISTRICT COURT  
JUDICIAL DIST.  
TOPEKA, KS

2009 JAN -6 P 2:30

STATE OF KANSAS, *ex rel.* )  
 STEVE SIX, Attorney General, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CASHBACK AMERICA, INC. )  
 and )  
 UNITED STATES ADMINISTRATIVE )  
 SERVICES, INC. )  
 a/k/a UNITED STATES ADMINISTRATIVE )  
 SERVICES COMPANY )  
 a/k/a UNITED STATES ADMINISTRATIVE )  
 SERVICES TRUST COMPANY )  
 and )  
 RICHARD STUPPLE, an individual, )  
 RONALD GOODING, an individual, )  
 )  
 Defendants. )

Case No. 08 C 001482

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

**ORDER OF DEFAULT JUDGMENT**

COMES NOW, on this 2nd day of January, 2009, the Plaintiff's Motion for Default Judgment before this Court for consideration. The State of Kansas, *ex rel.* Steve Six, appears by and through Assistant Attorney General, Meghan E. Barnds. Defendants appear 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 January 2, 2009.

2. Plaintiff's Motion for Default Judgment is predicated upon Defendants' failure to file an Answer to Plaintiff's Petition which was filed on October 1, 2008.

3. A copy of the Summons and the original Petition were served upon Defendant Richard Stuppel and Defendant Cashback America, Inc. at 9144 Shadowbrook Trail, Orlando, Florida 32825 by commercial courier service on November 6, 2008 pursuant to K.S.A. 60-303(c)(1).

4. A copy of the Summons and the original Petition were served upon Defendant Ronald Gooding at 34315 Donna Vista Place, Eustis, Florida 32726 by first-class mail on October 29, 2008 pursuant to K.S.A. 60-303(c)(5).

5. A copy of the Summons and the original Petition were served upon Defendant United States Administrative Services, Inc. at 18950 U.S. Highway 441, #306, Mount Dora, Florida 32757 by first-class mail on October 29, 2008 pursuant to K.S.A. 60-303(c)(5).

6. Defendants failed to file an Answer within twenty days after being served with process, as required by K.S.A. 60-212(a).

7. Pursuant to K.S.A. 60-255, Defendants are in default.

8. 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.

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**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 Defendants be permanently enjoined from the enumerated deceptive and unconscionable acts and practices, pursuant to K.S.A. 50-632(a)(2).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants be permanently enjoined from advertising, soliciting or administering any voucher program(s) within the State of Kansas.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay restitution to the Kansas consumers referenced in Plaintiff's Motion for Default Judgment, in this case amounting to \$21,000.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$1,000.00 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 \$4,804,000.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$1,125.00 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 Defendants pay all court costs.

**IT IS SO ORDERED.**

  
District Court Judge

1/5/09

Submitted by:

A handwritten signature in black ink, appearing to read 'MEB', written over a horizontal line.

Meghan E. Barnds, #23685  
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