

FILED  
BUTLER COUNTY  
DISTRICT COURT

'09 APR 17 P1:23

**IN THE DISTRICT COURT OF BUTLER COUNTY, KANSAS**

STATE OF KANSAS, *ex rel.*, )  
 STEVE SIX, Attorney General, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 TWISTED LIQUID RACING, LLC )  
 )  
 and )  
 )  
 JAMES BARRINGER, individually )  
 )  
 Defendants. )

CLERK OF DISTRICT COURT

BY \_\_\_\_\_

Case No. 2008 CV 414

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

**JOURNAL ENTRY OF DEFAULT JUDGMENT**

COMES NOW, on this 16 day of April, 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, Tai J. Vokins. Defendants appear not.

WHEREUPON, after reviewing the Court's file and Plaintiff's Motion for Default Judgment, the Court finds the following:

1. Plaintiff obtained service on its Notice of Default Judgment Amount on December 1, 2008.
2. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on April \_\_, 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 September 23, 2008.

3. A copy of the Summons and a copy of the Petition were served upon Defendants by serving the Kansas Secretary of State on October 27, 2008 pursuant to K.S.A. 60-304(f).

4. Defendants 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, Defendants are 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 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 engaging in all a advertising, soliciting, performing, accepting payments for, supervising, operating or in any manner conducting any business related to the sale of property or services as defined in K.S.A. 50-624 within the State of Kansas and from engaging in any consumer transactions as defined by K.S.A. 50-624(c).

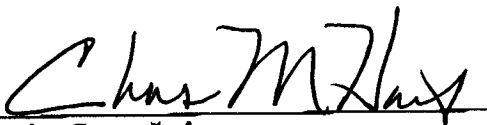
**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$5,697.80 as restitution to all consumers named in Plaintiff's original petition,

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants 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 \$410,000.00.

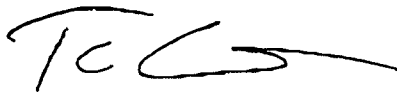
**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$1,750.00 in investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c).

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

**IT IS SO ORDERED.**

  
District Court Judge

Submitted by:



Tai J. Vokins, # 23707  
Assistant Attorney General  
Consumer Protection and Antitrust  
Kansas Attorney General Steve Six  
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Attorney for Plaintiff