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FILED

2009 JUN 25 P 12:16

CLERK OF DISTRICT COURT
NEOSHO COUNTY, KANSAS

BY _____

IN THE DISTRICT COURT OF NEOSHO COUNTY, KANSAS

STATE OF KANSAS, ex rel.,)
STEPHEN SIX, Attorney General,)

Plaintiff,)

Case No. 08-CV-000042

ANDREW WRABEK d/b/a)
ROMAN CONSTRUCTION & REMODELING)

Defendant.)

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

JOURNAL ENTRY FOR DEFAULT JUDGMENT

COMES NOW THIS 25th day of June, 2009, the Plaintiff's Motion for Default comes before this court for consideration. The state of Kansas *ex rel.* Steve Six, Attorney General, appears by and through Assistant Attorney General, Emilie Burdette. The Defendant appears not.

WHEREUPON, after reviewing the court file and reviewing Plaintiff's Motion, the court finds as follows:

1. Plaintiff served Summons and Petition on Andrew Wrabek d/b/a Roman Construction & Remodeling at 327 W. 6th, Chanute, KS 66720.
2. Plaintiff's Motion for Default Judgment is predicated upon Defendant's failure to

answer Plaintiff State of Kansas' Petition issued on April 28th, 2008.

3. The uncontroverted facts as set forth in Plaintiff's Petition are adopted and incorporated by the court as its controlling findings of facts as though fully set forth herein.

4. The legal arguments and authorities set forth in the Plaintiff's motion and memorandum for Default Judgment are adopted as the court's conclusions of law as though fully set forth herein.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that the Plaintiff's motion for Default Judgment be and is granted.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that judgment is hereby entered in favor of Plaintiff and against Defendant for Counts I and II found in Plaintiff's Petition filed on April 28th, 2008.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that Defendant and its employees and agents be permanently enjoined from these and other violating practices, pursuant to K.S.A. 50-632(a)(2).

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that Defendant pay \$10,000.00 for each of the two (2) violations of the Kansas Consumer Protection Act, cumulatively amounting to \$20,000.00, as provided by K.S.A. 50-636(a).

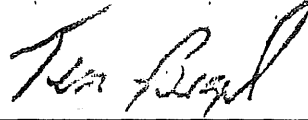
IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that Defendant pay restitution in the total amount of \$14,000.00 to the consumers identified as, Raymond and Novella Anderson, located at 2665 240th Road, Chanute, Kansas, as provided by K.S.A. 50-636(a).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendants pay \$3,700.00 in investigative fees and expenses to the Office of the Attorney General, pursuant

to K.S.A. 50-636(c).

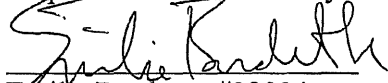
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendants
pay all court costs.

IT IS SO ORDERED



Neosho County District Court Judge

Prepared and Submitted by:



Emilie Burdette, #22094

Assistant Attorney General

Office of the Attorney General

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