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CLERK OF DISTRICT COURT
DICKINSON COUNTY, KANSAS

Tai J. Vokins, #23707
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IN THE DISTRICT COURT OF DICKINSON COUNTY, KANSAS

STATE OF KANSAS, <i>ex rel.</i> ,)
STEVE SIX, Attorney General,)
)
Plaintiff,)
)
v.)
)
TODD ISETON, individually)
)
d/b/a INDEPENDENT LIGHTENING)
PROTECTION)
)
Defendant.)

Case No. 2009-CV-000073

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

JOURNAL ENTRY OF DEFAULT JUDGMENT AGAINST DEFENDANT TODD ISETON D/B/A INDEPENDENT LIGHTENING PROTECTION

COMES NOW, on this 23 day of OCTOBER, 2009, Plaintiff's Motion for Default Judgment Against Defendant Todd Iseton d/b/a Independent Lightning Protection ("Defendant Iseton") comes before this Court for consideration. The State of Kansas, *ex rel.* Steve Six, appears by and through Assistant Attorney General, Tai J. Vokins. Defendant appears not.

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

1. Notice of Default was served upon Defendant Iseton by certified mail on October 7, 2009, pursuant to K.S.A. 60-254(c) and Supreme Court Rule 118(d).
2. Plaintiff filed its Motion for Default Judgment on October 14, 2009.

3. On October 23, 2009, Plaintiff's Motion for Default Judgment was granted.

4. The legal arguments and authorities set forth in Plaintiff's Motion for Default Judgment is 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 against Defendant Iseton.

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 Defendant Iseton is 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 Defendant Iseton is permanently enjoined from engaging in all 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 as described in Plaintiff's Petition and from engaging in any consumer transactions as defined by K.S.A. 50-624(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Iseton is ordered to pay \$1,140.94 to George Thompson as restitution for the consumer transactions referenced in Plaintiff's petition. Payment should be made to the Kansas Attorney General for delivery to the above named consumer.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Iseton is ordered to pay \$20,000.00 in enhanced civil penalties for each violation of the Kansas Consumer Protection Act, a sum believed to be not less than \$80,000.00 pursuant to K.S.A. 50-636(a) and K.S.A. 50-677.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Iseton is ordered to pay reasonable investigative fees and expenses to the Office of the Kansas Attorney General, a sum believed to be not less than \$5,700.00, pursuant to K.S.A. 50-636(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the total amount of the judgment against Defendant Iseton is \$86,840.94.


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

IT IS SO ORDERED.

/s/ DAVID R. PLATT

District Court Judge

Submitted by:



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Attorney for Plaintiff