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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS JUDICIAL DIST. DIVISION 9

FILED BY CLERK  
KS. DISTRICT COURT  
TOPEKA, KS

2010 MAR -9 P 3:44

STATE OF KANSAS, *ex rel.*, )  
STEVE SIX, Attorney General, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
NATIONAL HEALTH ALLIANCE, LLC )  
 )  
and )  
 )  
GREG D. FORSYTHE, an individual )  
 )  
Defendants. )

Case No. 10 C 48

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

ORDER OF DEFAULT JUDGMENT

NOW, on this 8<sup>th</sup> day of March, 2010, the Plaintiff's Motion for Default Judgment against Defendants comes 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 March 5, 2010.
2. Plaintiff's Motion for Default Judgment is predicated upon Defendants' failure to file an Answer to Plaintiff's Petition which was filed on January 13, 2010.

3. A copy of the Summonses and the original Petition were served upon Defendants at 2609 NW 164<sup>th</sup> Terrace in Oklahoma City, Oklahoma, by the Oklahoma County Sheriff's Office on February 3, 2010, pursuant to K.S.A. 60-304(a) and 60-304(e).

4. Defendants failed to file an Answer within thirty days after being served with process, as required by K.S.A. 60-308(a)(3).

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** Plaintiff's Motion for Default Judgment is granted.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that judgment is hereby entered against Defendants, 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** Defendants be permanently enjoined from engaging in the acts alleged in Plaintiff's Petition to be violations of the Kansas Consumer Protection Act.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants pay restitution to Julie Thompson in the amount of \$499.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants be restrained from advertising, soliciting and selling any services, goods or property in Kansas until such time that full restitution is made by Defendants.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants pay reasonable investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c), in this case amounting to \$2,500.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants pay \$10,000.00 in civil penalties for each violation of the Kansas Consumer Protection Act alleged in Plaintiff's Petition, pursuant to K.S.A. 50-636(a), in this case amounting to \$40,000.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants pay all court costs and all costs associated with distributing and executing on any restitution or judgment made by this Court

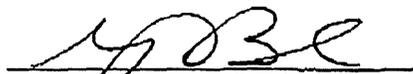
**IT IS SO ORDERED.**



Charles E. Andrews, Jr.  
District Court Judge

(signed for Div. 9)

Submitted by:



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