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IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
DIVISION 7

FILED BY CLERK
KANSAS COURT
THIRD JUDICIAL DIST.
TOPEKA, KS

2010 JUN -1 P 4: 28

STATE OF KANSAS, *ex rel.*,
STEVE SIX, Attorney General,

Plaintiff,

v.

Case No. 10 C 189

PHYSICIANS HEALTH GROUP, INC

and

LAURA LEIGH HEX, an individual
a/k/a LAURA SMITH HIX

Defendants.

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

ORDER OF DEFAULT JUDGMENT
AGAINST DEFENDANT PHYSICIANS HEALTH GROUP, INC.

NOW, on this 1st day of June, 2010, the Plaintiff's Motion for Default Judgment against Defendant Physicians Health Group, Inc. comes before this Court for consideration. The State of Kansas, *ex rel.* Steve Six, appears by and through Assistant Attorney General, Meghan E. Barnds. Defendant Physicians Health Group, Inc. appears 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 May 25, 2010.

2. Plaintiff's Motion for Default Judgment is predicated upon Defendant Physicians Health Group, Inc.'s failure to file an Answer to Plaintiff's Petition which was filed on February 8, 2010.

3. A copy of the Summons and the original Petition were served upon Defendant Physicians Health Group, Inc. ("Defendant PHG") through its registered agent, Incorp Services Inc. at 375 North Stephanie Street, Suite 1411 in Henderson, Nevada 89009-8909, by certified mail, return receipt requested on March 15, 2010, pursuant to K.S.A. §60-304(e) and §60-303(c).

4. Defendant Physicians Health Group, Inc. 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, Defendant Physicians Health Group, Inc. is 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 Defendant Physicians Health Group, Inc., 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 Defendant Physicians Health Group, Inc. 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 that Defendant Physicians Health Group, Inc. pay reasonable investigative fees and expenses to the Office of the Kansas Attorney General, pursuant to K.S.A. §50-632, in this case amounting to \$7,500.00.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Physicians Health Group, Inc. 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, in this case amounting to \$40,000.00.

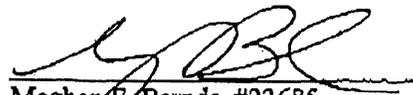
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant Physicians Health Group, Inc. pay all court costs and all costs associated with distributing and executing on any restitution or judgment made by this Court

IT IS SO ORDERED.



Franklin R. Theis
District Court Judge

Submitted by:



Meghan E. Barnds, #23685
Assistant Attorney General
Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, Kansas 66612
(785) 296-3751
meghan.barnds@ksag.org