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IN THE DISTRICT COURT OF FORD COUNTY, KANSAS

STATE OF KANSAS, ex rel. )  
ROBERT T. STEPHAN, Attorney General, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
CODY SINGLETREE d/b/a )  
CODY SINGLETREE, THE COMPANY, )  
 )  
Defendant. )

Case No. 83C204

FILED  
AUG 23 1983  
CLERK OF DISTRICT COURT

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW, on this 14<sup>th</sup> day of December, 1983, plaintiff's motion for judgment by default comes before the Court. Plaintiff, State of Kansas, appears by Susan O. Nugent, Assistant Attorney General, and defendant, Cody Singletree, does not appear.

It appears to the Court that the petition in the above cause was filed on August 23, 1983, and summons and petition were duly served on defendant personally, and no answer or other defense has been filed by defendant.

Upon consideration of the record and files herein, THE COURT FINDS that plaintiff is entitled to the relief requested in its motion.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED, AND DECREED as follows:

1. The Court has jurisdiction over the subject matter of this action.
2. The defendant, Cody Singletree, was personally served with process, and the Court has personal jurisdiction over him.

3. The action was brought by the Attorney General of Kansas, Robert T. Stephan, as part of his enforcement duties under the Kansas Consumer Protection Act, K.S.A. 50-623, et seq.

4. The following practices are declared to be deceptive and unconscionable in violation of the Kansas Consumer Protection Act, K.S.A. 50-623, et seq.:

a. Defendant's failure to produce and provide any of the following services pursuant to the contract defendant entered into with David Harold Walter of Tender Stitches, 1210 Main, Great Bend, Kansas on or about September 17, 1982:

- (1) an image song with all available production beds and edits, including 30 and 60 second production beds;
- (2) four fully produced commercials;
- (3) bi-annual advertising evaluation and recommendations.

b. Defendant's failure to refund any money to David Harold Walter.

5. Defendant is ordered to pay to plaintiff the sum of \$1,835.00 to be distributed to David Harold Walter as a refund.

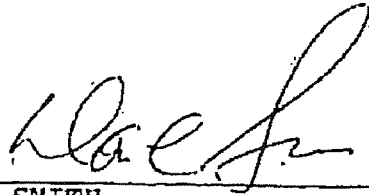
6. The contract between defendant and David Harold Walter is declared null and void by this court.

7. Pursuant to K.S.A. 50-636(a), defendant is ordered to pay to plaintiff civil penalties in the amount of \$2,000.

8. Defendant is ordered to pay \$1,000 in investigation fees.

9. This Court retains jurisdiction over the parties and the subject matter involved in this cause of action for the purpose of rendering any additional orders, decrees, judgments, or equitable relief as may be required.

IT IS SO ORDERED.



DON C. SMITH  
District Judge

PREPARED AND APPROVED BY:

Susan O. Nugent  
Susan O. Nugent, Attorney for Plaintiff