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K.S. DISTRICT COURT
THIRD JUDICIAL DIST.
TOPEKA, KS.

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2004 FEB 18 P 2: 40

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 1

STATE OF KANSAS, ex rel.,)
PHILL KLINE, Attorney General,)
)
Plaintiff,)
)
)
GRAND VACATIONS)
INTERNATIONAL, INC.,)
)
Defendant.)

Case No. 03-C-430

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

JOURNAL ENTRY

COMES NOW THIS 18th day of February, 2004, the Plaintiff's Motion for Summary Judgment comes before this court for consideration, the Honorable Jan W. Leuenberger presiding. The state of Kansas ex rel. Phill Kline, Attorney General, appears by and through Assistant Attorney General, Joseph N. Molina. The defendant appears not.

WHEREUPON, after reviewing the court file and hearing comments and arguments of counsel, the court finds as follows:

1. Plaintiff filed a motion for Summary Judgment and memorandum in support thereof on January 23, 2004.
2. Defendant failed to respond to said motion within the proscribed time period as defined by K.S.A. 60-256(a). The court finds as follows:

3. Plaintiff's Motion for Summary Judgment is predicated upon Defendant's failure to answer Plaintiff State of Kansas' Second Set of Request for Admissions issued on December 11, 2003.

4. A Motion to Deem Admitted was filed contemporaneously with the Motion for Summary Judgment.

5. Said Motion to Deem Plaintiff's State of Kansas' Second Set of Request for Admissions admitted has been previously granted.

6. The uncontroverted facts as set forth in Plaintiff's motion and memorandum Summary Judgment are adopted and incorporated by the court as its controlling findings of facts as though fully set forth herein.

7. The legal arguments and authorities set forth in the Plaintiff's motion and memorandum for Summary 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 Summary Judgment be and is granted.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that judgment is hereby entered in favor of Plaintiff and against Defendant on all counts of the petition.


IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that the sixteen violations of the Kansas No-Call Act, K.S.A. 50-670 *et seq.*, K.S.A. 50-670a *et seq.*, are unconscionable and in violation of the Kansas Consumer Protection Act.

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 in civil penalties and investigative fees for each of the sixteen (16) violations of the Kansas No-Call Act, cumulatively amounting to \$160,000.00, as provided by K.S.A. 50-636(a).

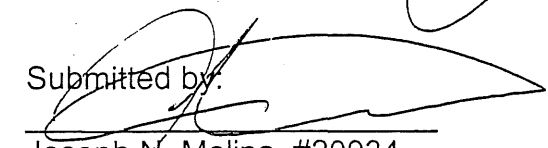
IT IS SO ORDERED



Shawnee County District Court Judge
Honorable Jan w. Leuenberger

2-18-07

Submitted by:



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