IN THE ELEVENTH JUDICIAL DISTRICT DISTRICT COURT OF CRAWFORD COUNTY, KANSAS CIVIL DEPARTMENT '04 OCT 12 A 8:36

STATE OF KANSAS, <i>ex rel.</i> PHILL KLINE, Attorney General	CLERK OF DIST. COUR CRAWFORD COUNTY
Plaintiff))
v.) Case No. 04-CV-106P
Jerry Shane Fellers, d/b/a Fellers Construction, Co. and Steve Mortell)))
Defendants,)
(Pursuant to K.S.A. Chanter 60))

ORDER OF THE COURT

Defendant Jerry Shane Fellers, have found to be in default pursuant to K.S.A. 60-255(a) and K.S.A. 60-254(c), is hereby ordered to pay the following in restitution, pursuant to the demand of the Kansas Consumer Protection Act:

- a. \$3736.15, plus interest accrued since August 21, 2003, as restitution to Mr. or Mrs. Jack Heitman.
- b. \$1500.00, plus interest accrued since August 21, 2003, as restitution to Mr. or Mrs. Jim Wilson.

Said amounts payable to, and collectable by, either the named, aggrieved persons or payable to the Office of the Attorney General. Said amounts to be disbursed to the paid, aggrieved persons before any amounts are credited to fines, investigative fees or civil penalties.

Defendant Jerry Shane Fellers, have found to be in default pursuant to K.S.A. 60-255(a) and K.S.A. 60-254(c), is hereby ordered to pay \$61,000 in investigative fees and civil penalties, assignable in the following fashion:

₩) a. \$20,000 for violations of K.S.A. 50-626(b)(1)(D). \$20,000 for violations of K.S.A. 50-627(b)(3).

C.

d.

\$20,000 for violations of K.S.A. 50-677.

Defendant Jerry Shane Fellers, have found to be in default pursuant to K.S.A. 60-255(a) and K.S.A. 60-254(c), is hereby enjoined in the following manner, keeping with K.S.A. 50-632(a)(2):

\$1000 in investigative fees pursuant to K.S.A. 50-632(a)(4).

Defendant Jerry Shane Fellers, have found to be in default pursuant to K.S.A. 60-255(a) and K.S.A. 60-254(c), is enjoined, for seven (7) years:

- From holding himself out within the State of Kansas as a "general contractor," a. "storm shelter installer" or person accomplished or experienced in any kind of belowground installation, including, but not limited to, basement waterproofing, basement entry or exit installation, shelter installation or any excavation accompanied by construction of any kind.
- b. From unsupervised employment within the State of Kansas as a "contractor," "storm shelter installer" or person involved in any kind of below-ground installation, including, but not limited to, basement waterproofing, basement entry or exit installation, shelter installation or any excavation accompanied by construction of any kind.
- C From holding himself out within the State of Kansas as the owner, manager, laborer or as a person in any way affiliated with any company that has, in its name, the

name Fellers along with the word "construction," or "concrete."

DISTRICT COURT JUDGE