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95-007

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 6

STATE OF KANSAS, ex rel.)
CARLA J. STOVALL, Attorney General,)
)
Plaintiff,)
)
vs.)
)
Christopher S. Hays d/b/a)
H & B Associates,)
)
Defendant.)
_____)

Case No. 95-CV-769

JOURNAL ENTRY

BEFORE THE COURT on this 21st day of March, 1996, is the plaintiff's Motion for Civil Penalty. After hearing, the Court finds as follows:

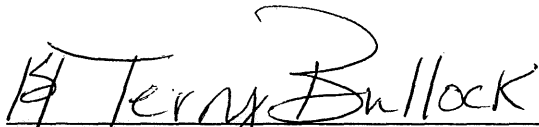
1. This Court, on November 16, 1995, ordered the defendant to comply with the plaintiff's subpoena at issue in this case.
2. That Order was served on the defendant as required by K.S.A. 77-613(e) (1995 Supp.) on November 16, 1995.
3. The defendant has willfully failed to comply with this Court's Order.
4. The Order was issued pursuant to this Court's power under the Kansas Consumer Protection Act, K.S.A. 50-617, *et seq.*, and the Kansas Act for Judicial Review and Civil

Enforcement of Agency Actions, K.S.A. 77-601, *et seq.*

5. The willful failure to obey a Court Order issued pursuant to the Kansas Consumer Protection Act is punishable by a civil penalty of not more than \$10,000.00. K.S.A. 50-636(b).

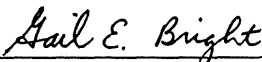
WHEREFORE, IT IS HEREBY ORDERED THAT defendant forfeit and pay a civil penalty of \$10,000.00 to the plaintiff. The plaintiff is granted judgment against Defendant for the civil penalty amount of \$10,000.00. Further, defendant is enjoined from the advertisement and sale of roofing materials and services within the State of Kansas.

IT IS SO ORDERED.



The Honorable Terry L. Bullock
Judge of the District Court

PREPARED AND APPROVED BY:



Gail E. Bright, #14572
Assistant Attorney General

Attorney for Plaintiff