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FILED BY CLERK  
KS DISTRICT COURT  
3RD JUDICIAL DISTR.

JUL 3 2 13 PM '96

GENERAL JURISDICTION  
TOPEKA KANSAS

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 9

STATE OF KANSAS, <i>ex rel.</i>	)	
CARLA J. STOVALL, Attorney General,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 95 CV 871
	)	
NEW GLASS, INC. d/b/a THE GLASS MECHANIX,	)	
	)	
Defendant.	)	
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JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this \_\_\_\_ day of \_\_\_\_\_, 1996, the plaintiff's petition for approval of consent judgment comes before the court for consideration. The State of Kansas, *ex rel.* Carla J. Stovall, Attorney General, appears by and through Robert E. Hiatt, Assistant Attorney General. Defendant appears Frank Eschmann, Ascough, Eschmann, Oyler, P.A. Whereupon, the parties advise the court that they have stipulated and agreed as follows:

1. Carla J. Stovall is the Attorney General of the State of Kansas.
2. Defendant admits the court has personal and subject matter jurisdiction over the parties.

3. Defendant voluntarily agrees to this consent judgment without trial or adjudication of any issue of fact or law.

4. Defendant is a supplier as defined by K.S.A. 50-624(i).

5. Defendant has engaged in consumer transactions, as defined by K.S.A. 50-624(c), in Kansas by the advertising and sale of products in Kansas.

6. The provisions of this consent judgment will be applicable to the defendants, and every employee, agent or representative of the defendant corporation.

7. The defendants agree to make available and/or disclose the provisions of this consent judgment to his employees, agents and representatives.

8. The Attorney General alleged that the defendant violated the Kansas Consumer Protection Act via the use of deceptive advertising that stated defendant sold "superior resins at the lowest prices in the field" and that purchasers would "receive top quality resins at the lowest prices in the industry."

9. The Attorney General alleged that defendants prices were substantially higher than at least two (2) of its competitors and thus alleges that the defendants violated K.S.A. 50-626(b)(2) relative to the price of its product.

10. This consent judgment shall be binding on any partnership, corporation, sole proprietorship or any other legal structures with which defendant New Glass, Inc. d/b/a The Glass Mechanix or shall be associated in an ownership or managerial capacity.

11. The defendants agree to refrain from and to be enjoined from engaging in all acts and practices alleged above by the State of Kansas to be deceptive and unconscionable.

12. The defendants agree to resolve all consumer complaints currently on file with the Attorney General's Office to the satisfaction of the Attorney General within thirty (30) days of the

date of this consent judgment.

13. The defendants agree to provide refunds on all consumer complaints sent to defendants' last known address by the State of Kansas after the date of the filing of this consent judgment.

14. The defendants agree to pay \$500.00 in investigation fees and expenses to the Attorney General of the State of Kansas and \$250.00 civil penalty to the State of Kansas and restitution in the amount of \$1,897.00 payable by certified check to William C. Johnston. Payment will be by three separate certified checks and will be provided to the Attorney General prior to the filing of this judgment.

15. The defendants agree to allow the Attorney General to inspect relevant business records in the future upon request of the Attorney General.

16. The defendants agree to pay all court costs and filing fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the stipulation and agreement of the parties contained herein are adopted and approved as the findings of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Kansas consumer protection act, and the provisions of K.S.A. 50-632(b), the court hereby approves the terms of the consent judgment and adopts the same as the order of the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant will pay all court costs and filing fees.

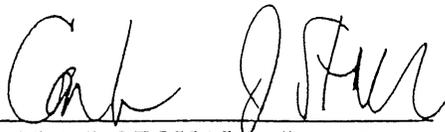
IT IS SO ORDERED.

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DISTRICT COURT JUDGE

Approved by:

STATE OF KANSAS



CARLA J. STOVALL, #11433

Attorney General



Robert E. Hiatt, # 13810

Assistant Attorney General

Kansas Judicial Center

Topeka, Kansas 66612-1597

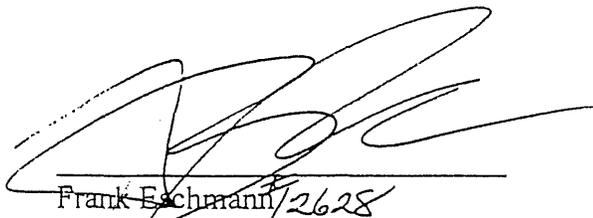
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Attorneys for plaintiff



New Glass, Inc. d/b/a The Glass Mechanix  
and/or authorized representative of New Glass, Inc.  
d/b/a The Glass Mechanix

Defendant



Frank Eschmann #2628  
Ascough, Eschmann, Oyler, P.A.

150 SW 33rd Street

Topeka, Kansas 66611

Attorney for defendant