

98-023

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MS DISTRICT COURT  
3RD DISTRICT

OCT 8 11 00 AM '98

TOPEKA, KANSAS

Kelli J. Benintendi, #16032  
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**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
Division 9**

STATE OF KANSAS, *ex rel.*  
CARLA J. STOVALL, Attorney General,

Plaintiff,

v.

"MIKE" NAIEF HUSEIN KHALIL,  
Individually, and  
NATIONWIDE LIQUIDATORS, INC.,

Defendants.

Case No. 98CV891

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

**JOURNAL ENTRY OF DEFAULT JUDGMENT**

NOW on this the 8th day of October, 1998, the above-captioned matter comes for hearing on Plaintiff's Motion for Default Judgment. Plaintiff, State of Kansas, *ex rel.*, Carla J. Stovall, Attorney General, appears by and through counsel, Kelli J. Benintendi, Assistant Attorney General. The Defendants appear not.

WHEREUPON, Plaintiff filed its Motion for Default Judgment and Memorandum in Support on September 18, 1998, and Defendants have failed to respond to said Motion within the time allowed and failed to make an appearance for this scheduled hearing of October 8, 1998. The Court hereby finds and concludes as follows:

1. On September 18, 1998, Plaintiff filed a Notice of Intent to Take Default Judgment and a Motion for Default Judgment and Memorandum in Support when Defendants failed to answer Plaintiff's Petition within the time allowed.

2. Defendants "Mike" Naief Husein Khalil and Nationwide Liquidators, Inc. were served with Notice of Hearing, Notice of Intent to Take Default Judgment and Plaintiff's Motion for Default Judgment and Memorandum in Support as follows:

- a. That on September 18, 1998, counsel for Plaintiff sent Notice of Hearing, Notice of Intent to Take Default Judgment and Plaintiff's Motion for Default Judgment and Memorandum in Support to Defendant "Mike" Naief Husein Khalil via certified mail, return receipt requested, addressed to: "Mike" Naief Husein Khalil, 8792 Sailport Drive, Huntington Beach, California 92646.
- b. On September 18, 1998, counsel for Plaintiff sent Notice of Hearing, Notice of Intent to Take Default Judgment and Plaintiff's Motion for Default Judgment and Memorandum in Support, via certified mail, return receipt requested, to: Sabry Abdel Aziz, Registered Agent, 2127 E. Ball Road, Anaheim, California 92806, who is the resident agent for Defendant Nationwide Liquidators, Inc.
- c. On September 18, 1998, counsel for Plaintiff sent the Notice of Hearing, the Notice of Intent to Take Default Judgment and Plaintiff's Motion for Default Judgment and Memorandum in Support, via certified mail, return receipt requested to: the Kansas Secretary of State's Office, Capitol Building, 300 SW 10th Street, Second Floor, Topeka, Kansas 66612-1594, in accordance with K.S.A. 60-304, since Defendant Nationwide Liquidators, Inc. is an unauthorized foreign corporation which has transacted business within the State of Kansas.

3. Defendants "Mike" Naief Husein Khalil and Nationwide Liquidators, Inc. have failed to respond to said Motion and have failed to make an appearance for such hearing scheduled October 8, 1998.

4. The uncontroverted facts set forth in Plaintiff's Motion for Default Judgment and Memorandum in Support are adopted and incorporated herein by the Court as its controlling findings of facts as though fully set forth herein.

5. The legal arguments and authorities set forth in Plaintiff's Motion for Default Judgment and Memorandum in Support are adopted and incorporated herein by the Court as its controlling conclusions of law as though fully set forth herein.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff's Motion for Default Judgment and Memorandum in Support should be and is hereby granted in its entirety, and that judgment is hereby entered in favor of Plaintiff and against Defendants "Mike" Naief Husein Khalil and Nationwide Liquidators, Inc.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the acts and practices alleged in Plaintiff's Petition are declared deceptive and in violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-632(a)(1).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendants "Mike" Naief Husein Khalil and Nationwide Liquidators, Inc. and their employees, agents and representatives are permanently enjoined from those acts and practices alleged in Plaintiff's Petition and any other violative acts and practices of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-632(a)(2).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that judgment is hereby entered in favor of Plaintiff and against Defendants "Mike" Naief Husein Khalil and Nationwide Liquidators, Inc. on all counts of Plaintiff's Petition and that relief shall be afforded to Plaintiff and against Defendants, as follows:

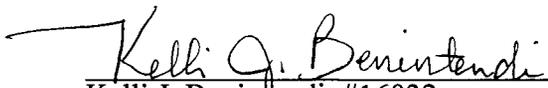
1. Defendant is hereby ordered to pay \$65,000.00 in civil penalties to the Office of the Attorney General of the State of Kansas for violations of the Kansas Consumer Protection Act, K.S.A. 50-623 *et seq.*, pursuant to K.S.A. 50-636;

2. Defendant is hereby ordered to pay \$42.45 in consumer restitution, pursuant to K.S.A. 50-632(a)(3).

**IT IS SO ORDERED.**

JUDGE OF THE DISTRICT COURT

Prepared and approved by:



Kelli J. Benintendi, #16032  
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Office of the Attorney General  
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(785) 296-3751

Attorney for Plaintiff

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