

98-043 AH

James J. Welch, #09546
Assistant Attorney General
Office of the Attorney General
Kansas Judicial Center
Topeka, Kansas 66612-1597
(785) 296-3751

MICROFILMED
DISTRICT

FILED BY CLERK
KS. DISTRICT COURT
3rd JUDICIAL DISTRICT
DEC 3 4 54 PM '98

TOPEKA, KANSAS
MF 12-4-98

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 9

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

Plaintiff,

vs.

PMSI,

Defendant.

Case No. 98 CV 1345

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

MOTION AND ORDER FOR DEFAULT JUDGMENT

COMES NOW the plaintiff, State of Kansas, *ex rel.* Carla J. Stovall, Attorney General, by and through James J. Welch, Assistant Attorney General, and for her motion alleges and states as follows:

- 1) On or about October 14, 1998, the plaintiff brought suit against the defendant, PMSI for enforcement of a subpoena pursuant to K.S.A. §77-624(a) and K.S.A. §50-631(e).
- 2) To date, defendant has failed to respond to the plaintiff's petition or otherwise plead.
- 3) Pursuant to K.S.A. §50-631(e)(1) and (2), the court may grant injunctive relief restraining the sale or advertisement of any merchandise or issue any other relief as may be required.

4) The basis for the complaint filed with the Attorney General's Consumer Protection Division is violations of the Kansas Consumer Protection Act, K.S.A. §50-623 *et seq.*

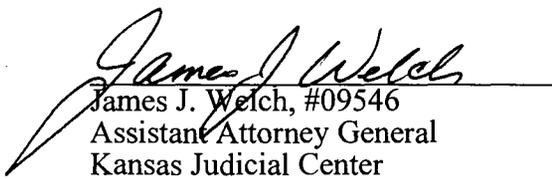
WHEREFORE, plaintiff prays that the court issue an order restraining the defendant from the sale or advertisement of any merchandise or services in the State of Kansas, and further relief as the court deems just and equitable.

SO ORDERED.


Honorable Charles E. Andrews, Jr.
District Judge
Ninth Division

Respectfully submitted,

OFFICE OF THE ATTORNEY GENERAL
CARLA J. STOVALL


James J. Welch, #09546
Assistant Attorney General
Kansas Judicial Center
Topeka, Kansas 66612-1597
(785) 296-3751

Attorney for plaintiff