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ALL JURISDICTION
TOPEKA, KANSAS

James J. Welch, #09546
Assistant Attorney General
Office of the Attorney General
Kansas Judicial Center
Topeka, Kansas 66612-1597
(913) 296-3751

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 6

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

Plaintiff,

vs.

SEALY COMMUNICATIONS, INC.,
d/b/a POWER 2001,

Defendant.

CASE NO. 97 CV 1352

(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:

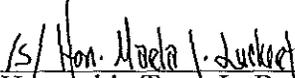
1. On or about October 15, 1998, the plaintiff brought suit against the defendant, Sealy Communications, Inc., d/b/a Power 2001, for violations of the Kansas Consumer Protection Act.
2. Defendant Sealy Communications, Inc., d/b/a Power 2001, was served via certified mail service by way of its registered agent, Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801.
3. Defendant has submitted to the jurisdiction of the courts of this state by transacting business within this state and has entered into consumer transactions, as defined by the Kansas Consumer Protection Act, K.S.A. §50-624(c).

4. To date, Defendant has failed to respond to the plaintiff's petition or otherwise plead.
5. Defendant has committed a total of at least 300 violations of the Kansas Consumer Protection Act in representations to and transactions with at least one consumer.

WHEREFORE, plaintiff prays the Court to order, adjudge and decree that the Defendant is in default for failure to answer or otherwise plead in the above-captioned action by and through a licensed Kansas attorney as required by law and to grant the relief in the Petition, specifically:

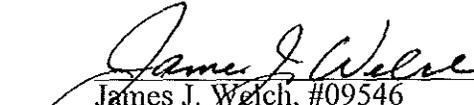
- (a) the Defendant be ordered to pay \$1,500,000.00 civil penalties to the State of Kansas,
- (b) the Defendant be ordered to pay \$10,000.00 investigative fees, and
- (c) the Defendant be permanently enjoined from engaging in any type of consumer transaction as a supplier within the state of Kansas.

SO ORDERED.



Honorable Terry L. Bullock
District Judge

Respectfully submitted,
OFFICE OF THE ATTORNEY GENERAL
CARLA J. STOVALL



James J. Welch, #09546
Assistant Attorney General
Kansas Judicial Center
Topeka, Kansas 66612-1597
(913) 296-3751
Attorney for Plaintiff