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FILED BY CLERA
KS. DISTRICT COURT
300 JUDGE

APR 6 10 43 AM '99

TOPEKA, KANSAS

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 6

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

Plaintiff,

vs.

JAMES R. McCLURE & MICHELLE DELGADO,
d/b/a J & N DISTRIBUTORS,

Defendants.

Case No. 98 CV 1348

(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, Michelle Delgado, d/b/a J & N Distributors, for enforcement of a subpoena pursuant to K.S.A. §77-624(a) and K.S.A. §50-631(e).

2) On or about February 5, 1999, Defendant James R. McClure acknowledged receipt of process and indicated that he was the proper party to be named in such action. Upon notification of the same, Plaintiff filed an Amended Petition for Civil Enforcement of Agency Subpoena, naming James R. McClure as a defendant, on or about February 23, 1999.

3) To date, Defendants have failed to respond to the plaintiff's petition or otherwise plead.

4) 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.

5) 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 Defendants 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.

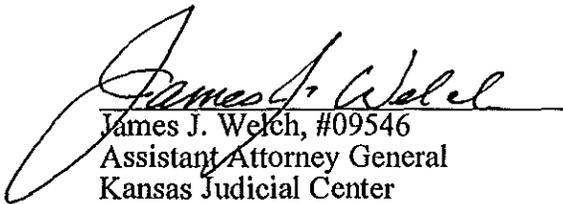
SO ORDERED.



Honorable Terry L. Bullock
District Judge
Sixth Division

Respectfully submitted,

OFFICE OF THE ATTORNEY GENERAL
CARLA J. STOVALL


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