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DEFAULT.ORD/KATHYG/AMERICAN

Restitution
Pd ~~10-26-93~~

FILED
KS DISTRICT COURT
CLERK
DISTRICT
OCT 27 10 46 AM '93
GENERAL JURISDICTION
TOPEKA KS

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 5

STATE OF KANSAS, ex rel.
ROBERT T. STEPHAN, Attorney General

Plaintiff,

vs.

LOWELL CLAYTON JEFFERSON, KEN HOLCUMB,
JOSHUA VANDERBELT, CASEY MICHAELS,
MIKE HARRIS, MEGAN HALL, ERIC WILEY,
AND CARL JENSON, d/b/a AMERICAN
SHIPPING SYSTEMS and/or AMERICAN
SHIPPING SERVICES, an unincorporated
association,

Defendants.

Case No. 93 CV 760

Pursuant to K.S.A. Chapter 60

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 26th day of October, 1993, the above-entitled matter comes before the Court upon Plaintiff's Motion for Default Judgment. The Plaintiff appears by and through Kathy Greenlee, Assistant Attorney General. The Defendants do not appear.

The Court being fully advised finds as follows:

- 1) This action was brought by the Attorney General of Kansas, Robert T. Stephan, pursuant to his authority under the provisions of the Kansas consumer protection act, K.S.A. 50-623 et seq.

2) Plaintiff filed its Petition on June 30, 1993.

3) Defendants are individuals who participated in a telemarketing operation which included directing consumers to send money to the private mail box located at 4318 Rainbow Blvd., Suite 115, Kansas City, Kansas 66103.

4) Defendants represented to consumers that they were physically located at the private mail box location; when, in fact, they are not physically located at that address.

5) Defendant Lowell Clayton Jefferson made application for the mailbox rental. The rental contract was for a three month term and indicated that incoming mail would be addressed to American Shipping Systems.

6) At least seven out-of-state consumers sent money to the private mail box. The money sequestered and in the possession of the receiver totals \$5,428.28.

7) By falsely representing to consumers that American Shipping Services is physically located at 4318 Rainbow Blvd., Suite 115, Kansas City, Kansas, defendants have engaged in deceptive acts, as defined by K.S.A. 50-626(b)(1)(B).

8) Personal and certified mail service were attempted, but were not successful.

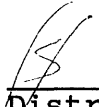
9) Notice of Suit was published in the Topeka Metro News for three consecutive weeks. Proof of such publication has been filed with this Court.

10) Motion for Default Judgment was filed herein on October 26, 1993.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

Defendants are hereby permanently enjoined from conducting telemarketing or mail solicitations within the State of Kansas. The Receiver shall return to sender those items sequestered from the private mail box located at 4318 Rainbow Blvd., Suite 115, Kansas City, Kansas.

IT IS SO ORDERED.



District Court Judge