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3rd JUDICIAL DISTRICT
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KS DISTRICT COURT
3RD JUDICIAL DISTRICT

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KANSAS
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THERESA MARCEL NUCKOLLS, #13 AUG 24 10 17 AM '94
DEPUTY ATTORNEY GENERAL
OFFICE OF ATTORNEY GENERAL GENERAL JURISDICTION
CONSUMER PROTECTION DIVISION TOPEKA KANSAS
310 WEST 10TH STREET
2nd FLOOR JUDICIAL BUILDING
TOPEKA, KANSAS 66612-1597
913-296-3751

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
DIVISION NO. 12

STATE OF KANSAS ex rel.,)
ROBERT T. STEPHAN, Attorney General,)
)
Plaintiff,)
)
vs.)
)
DAVID KRIEDLER,)
d/b/a CAROLINA FURNITURE EXPRESS,)
Defendant.)

Case No. 94 CV 13

Pursuant to K.S.A. Chapter 60

JOURNAL ENTRY OF CONSENT JUDGMENT AND ORDER

NOW on this 23rd day of Aug 1994, the
plaintiff's motion for approval of consent judgment comes before
the court for consideration. The State of Kansas, ex rel.
Robert T. Stephan, Attorney General, appears by and through
Theresa Marcel Nuckolls, Deputy Attorney General. Defendant
appears pro se.

WHEREUPON, the parties advise the court that they have stipulated and agreed as follows:

1. Robert T. Stephan is the Attorney General of the State of Kansas.

2. Defendant has engaged in consumer transactions within the State of Kansas.

3. Defendant admits that the court has personal and subject matter jurisdiction over the parties.

4. Defendant voluntarily admits that he has committed violations of the Kansas Consumer Protection Act as alleged and as set forth in the State's Petition.

5. Defendant agrees and is hereby ordered to pay \$1000.00 as a civil penalty to the state of Kansas.

6. Defendant agrees and is hereby ordered to pay \$1000.00 to the Attorney General's Office in investigative fees.

7. The parties agree and stipulate that the plaintiff has thus far received complaints from the following consumers against the defendant, and that each consumer has requested the following relief from the defendant:

David LaRoche, Topeka, Kansas, \$793.19

Mr. William Maddy, Stockton, Kansas, \$527.02

Mr. Thomas Bals, Topeka, Kansas, \$1,061.00

Mrs. Diane Keirns, Woodston, Kansas, \$221.78
Mr. Robert O'Keefe, Topeka, Kansas, \$2,136.03
Ms. Linda DeWeese, Topeka, Kansas, \$974.28
Ms. Nancy Farrar, Topeka, Kansas, \$3,000.00
Mr. Gary Holliday, Topeka, Kansas, \$3,200.00
Mr. Claude Paulsen, Silver Lake, Kansas, \$252.88

8. The defendant agrees to resolve all the above consumer complaints by paying a total amount of one third of the requested relief. Such relief totals \$4,024.81.

9. The one third amounts defendant agrees to pay as consumer restitution shall result in the consumers receiving the following amounts:

David LaRoche, Topeka, Kansas, \$261.75
Mr. William Maddy, Stockton, Kansas, \$173.91
Mr. Thomas Bals, Topeka, Kansas, \$350.13
Mrs. Diane Keirns, Woodston, Kansas, \$73.18
Mr. Robert O'Keefe, Topeka, Kansas, \$704.88
Ms. Linda DeWeese, Topeka, Kansas, \$321.51
Ms. Nancy Farrar, Topeka, Kansas, \$1,000.00
Mr. Gary Holliday, Topeka, Kansas, \$1,056.00
Mr. Claude Paulsen, Silver Lake, Kansas, \$83.45

10. The defendant agrees and is hereby ordered to make payments on the above created \$6,024.81 judgment debt by paying \$200.00 a month until the judgment debt is fully paid.

11. The defendant agrees and is hereby ordered to make such \$200.00 payments to be received by the office of Attorney General no later than the 15th of each month.

12. If any payment is not made or received as set out in herein, the entire balance shall be accelerated and shall be immediately due.

13. At the defendant's option, amounts may be pre-paid.

14. Defendant agrees and is hereby ordered to pay all expenses of collection including attorneys' fees.

15. In addition to the consumers herein named, the defendant agrees to resolve all consumer complaints to the satisfaction of the Office of the Attorney General after the date of this consent judgment whether brought to defendant's attention by the State of Kansas or by consumers complaining directly to the defendant. Defendant shall apprise the State of Kansas, through the plaintiff, in a simple and concise manner, of the disposition of those complaints and disputes within thirty (30) days after resolved.

16. The parties agree and it is ordered that the provisions of this consent judgment will be applicable to the defendant, and every employee, agent or representative of the defendant.

17. The defendant agrees and it is ordered that he shall not enter into, form, organize or reorganize into any partnership, corporation, sole proprietorship or any other legal structures, for the purpose of avoiding compliance with the terms of this consent judgment.

18. The defendant agrees to allow the Attorney General to inspect relevant business records in the future.

19. Defendant David Kriedler agrees to be and hereby is permanently enjoined from engaging in consumer transactions in Kansas as a supplier, as those terms are defined in the Kansas Consumer Protection Act.

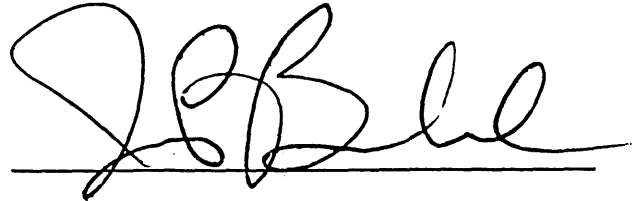
20. Defendant agrees to promptly provide to the plaintiff any and all information that is now and or that later becomes available to him on the whereabouts (phone numbers and addresses) of the following individuals, by any name known to him (These individuals have all allegedly been involved in the sales to the above referenced and named consumers): James Hedrick, Tim Hicks, Robert Mounts, Tom Hicks, and Buddy Stone.

21. Defendant agrees to pay all costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the stipulations and agreements of the parties contained herein are


adopted and approved as the findings and orders of the court pursuant to K.S.A. 1993 Supp. 50-632(b).

SO ORDERED.

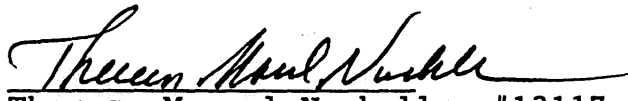


A large, stylized handwritten signature in black ink, appearing to read "J. B. Blue", written over a horizontal line.

Approved by:

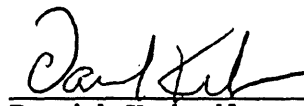


ROBERT T. STEPHAN, #05340
Attorney General



Theresa Marcel Nuckolls, #13117
Deputy Attorney General

Attorneys for Plaintiff



(date) 8/19/94 1994.
David Kriedler, d/b/a Carolina Furniture Express
Defendant