



**Court:** Shawnee County District Court  
**Case Number:** 2017-CV-000624  
**Case Title:** State of Kansas ex rel Derek Schmidt Atty General  
vs. Jawad Yahya, et al.  
**Type:** Journal Entry of Default Judgment & Permanent  
Restraining Order

SO ORDERED.

A handwritten signature in black ink that reads "Larry D. Hendricks". The signature is written in a cursive style with a large, looping final flourish.

/s/ Honorable Larry Hendricks, District Judge

**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
DIVISION 6**

<b>STATE OF KANSAS, <i>ex rel.</i></b>	)	
<b>DEREK SCHMIDT, Attorney General,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Case No. 2017-CV-624</b>
	)	
<b>JAWAD YAHYA, an individual;</b>	)	
<b>a/k/a Mohammed Yahya;</b>	)	
<b>a/k/a Yahya Jaward;</b>	)	
<b>Yaja Collections, Inc. a foreign corporation;</b>	)	
<b>d/b/a Yahya Liquidation Sales;</b>	)	
<b>d/b/a Liquidation Station;</b>	)	
<b>d/b/a Nationwide Liquidation;</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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

**JOURNAL ENTRY OF DEFAULT JUDGMENT AND  
PERMANENT RESTRAINING ORDER**

**NOW** on this day, the Plaintiff's Motion for Default Judgment and Permanent Restraining Order is before this Court for hearing. The State of Kansas, appears *ex rel.* Derek Schmidt, Attorney General, by and through counsel, Melanie S. Jack, Assistant Attorney General. Defendants do not appear.

**WHEREUPON**, after hearing testimony, reviewing the Court's file and Plaintiff's Motion for Default Judgment and Amended Notice of Damages, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on December 6, 2017.

2. Plaintiff's Motion for Default Judgment is predicated upon Defendants' failure to file an Answer to Plaintiff's Petition which was filed on September 22, 2017.

3. The Summons and Petition were served upon Defendants by Federal Express on September 27, 2017. Return of service was filed with the Court on September 29, 2017. Plaintiff served Defendants again by certified mail, return receipt on October 14, 2017. Return of service was filed with the Court on November 9, 2017.

4. Defendants failed to file an Answer within thirty (30) days after being served October 14, 2017, as required by K.S.A. 60-212(a) and 60-308.

5. Pursuant to K.S.A. 60-255, Defendants are in default.

6. Defendant Yaja Collections, Inc., has not appeared by attorney.

7. Defendants have been served the Order of Hearing on Default seven (7) days before the January 11, 2018, hearing. K.S.A. 60-255(a) Proof of service has been filed with the Court.

8. Defendants were served an Amended Notice of Damages December 11, 2017. Proof of service has been filed with the Court. The notice complies with K.S.A. 60-254(c), which requires notice least 14 days prior to the hearing on default.

**IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED** that Plaintiff's Motion for Default Judgment is granted.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that judgment is hereby entered in favor of Plaintiff on all counts of the Petition.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that the violations of the Kansas Consumer Protection Act are declared to be deceptive and unconscionable.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants and officers, directors, employees, shareholders and agents, are permanently enjoined from the enumerated deceptive and unconscionable acts and practices, pursuant to K.S.A. 50-632(a)(2).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants are permanently enjoined from conducting door-to-door sales of any product or service within the State of Kansas.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants are permanently enjoined from conducting consumer transactions (as defined by K.S.A. 50-624(c)) of any product or service and any other practices in violation of the KCPA, pursuant to K.S.A. 50-632(a)(2) and K.S.A. 50-632(c).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants are permanently enjoined and expressly prohibited from conducting and making door-to-door sales, as defined in K.S.A. 50-640, in Kansas pursuant to the KCPA, K.S.A. 50-623, *et seq.* and K.S.A. 21-6423.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants are permanently enjoined from conducting consumer transactions as a supplier (as defined by K.S.A. 50-624(1)) of any product or service and any other practices in violation of the KCPA, pursuant to K.S.A. 50-632(a)(2) and K.S.A. 50-632(c).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$280,000.00 in civil penalties for violations of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-636(a).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay \$15,191.85 in investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants forfeit proceeds of \$8,771.79, seized by search warrant on December 18, 2015, which constitute investigative fees and expenses to be paid to the Office of the Kansas Attorney General,

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** Defendants are jointly and severally liable for the aforementioned violations of the Kansas Consumer Protection Act, K.S.A. 50-623, *et seq.*

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant Jawad Yahya is hereby notified that he is permanently enjoined and expressly prohibited from conducting and making door-to-door sales, as defined in K.S.A. 50-640, in Kansas pursuant to the Kansas Consumer Protection Act, K.S.A. 50-623, *et seq.*, K.S.A. 21-6423, and pursuant to this Order.

Defendant Jawad Yahya is hereby notified that so long as this Order remains in place, if the Defendant Jawad Yahya participates, directly or indirectly, in any door-to-door sales in the state of Kansas in violation of this Order, Defendant Jawad Yahya may be subject to prosecution pursuant to K.S.A. 21-6423, a Level 9, Person Felony.

Defendant Jawad Yahya is hereby notified that so long as the Order remains in place, if the Defendant Jawad Yahya causes, directs, employs, enables or assists others in engaging in door-to-door sales in the state of Kansas in violation of this Order Defendant Jawad Yahya is committing a crime and may be subject to prosecution pursuant to K.S.A. 21-6423, a Level 9, Person Felony.

Defendant Jawad Yahya is hereby notified that the criminal liability imposed by K.S.A. 21-6423 does not relieve Defendant Jawad Yahya of any civil liability for violating the terms of this Order or any other judgments and civil sanctions and liability may be imposed in addition to any authorized criminal penalties.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendants pay all court costs.

**IT IS SO ORDERED.**

**THIS ORDER IS EFFECTIVE AS OF THE DATE AND TIME OF THE ELECTRONIC FILE STAMP.**

Submitted by:

          /s/ Melanie Jack            
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