

FILED 11-9-93  
In the Eighteenth Judicial  
District, District Court,  
Sedgwick County, Kansas  
CIVIL DEPARTMENT  
Q. Hunter

Mark W. Stafford, #13233  
Kathy J. Greenlee, #13759  
Assistant Attorneys General  
Office of the Attorney General  
Kansas Judicial Center  
Topeka, Kansas 66612-1597  
(913) 296-2215  
PORTER.ORD/KATHYG/PORTER

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS  
Division \_\_\_\_\_

STATE OF KANSAS, ex rel. )  
ROBERT T. STEPHAN, Attorney General, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
DOUGLAS R. PORTER, )  
 )  
Defendant. )

Case No. 93 C 2032

Petition Pursuant to K.S.A. Chapter 60

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 9th day of November, 1993, the above-entitled matter comes before the Court upon Plaintiff's Motion for Default Judgment. The Plaintiff appears by and through Mark S. Stafford and Kathy Greenlee, Assistant Attorneys General. The Defendant does not appear.

Upon reviewing the record before it, and upon arguments of counsel, the court finds the following:

- 1) Defendant has been property served with process.
- 2) This court has jurisdiction over the parties and over the subject matter in this case.

3) Defendant is in complete default by his non-appearance.

4) Each allegation in plaintiff's petition has been satisfactorily proven. By his default, defendant does not deny the allegations.

5) Defendant has unlawfully engaged in the practice of law by holding himself out as a counselor at law, by performing services for individuals, which services require the knowledge and application of legal principles and technique, and by preparing legal instruments by which the individuals' legal rights are conferred.

6) By holding himself out to consumers as a counselor at law when he was not authorized to practice law within the State of Kansas, Defendant has engaged in a deceptive act or practice in connection with a consumer transaction in violation of K.S.A. 1992 Supp. 50-626(b)(1)(B), (2), and (8).

7) By providing improperly attested wills from which the consumers were unable to receive a material benefit, Defendant has engaged in an unconscionable act or practice in connection with a consumer transaction in violation of K.S.A. 50-627(b)(4).

8) Defendant's solicitations to consumer constitute door-to-door sales within the meaning of the Kansas consumer protection act.

9) Defendant failed to disclose to consumers who purchased Defendant's services that the consumer could cancel the sales in accordance with K.S.A. 50-620(b).

10) Defendant's failure to make the required disclosure in connection with a door-to-door sale constitutes a deceptive act or practice in connection with a consumer transaction in violation of K.S.A. 1992 Supp. 50-626.

11) Each act as described herein constitutes a separate violation of the Kansas consumer protection act.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. Defendant's acts are declared to be violations of the Kansas consumer protection act.

B. Defendant's acts are declared to be an abuse of rights, privileges and franchises in engaging in the unauthorized practice of law.

C. Defendant is ordered to pay to Irene and Andy Kuykendall, \$80.00, as actual damages they sustained by reason of defendant's violations of the Kansas consumer protection act.

D. Defendant is ordered to pay to Francine Shogren, \$99.00, as actual damages she sustained by reason of defendant's violations of the Kansas consumer protection act.

E. Defendant is ordered to pay to Barbara Yarnell, \$89.00, as actual damages she sustained by reason of defendant's violations of the Kansas consumer protection act.

F. Defendant is ordered to pay to the Office of the Attorney General its reasonable investigation fees in the amount of \$550.00, as costs incurred to investigate defendant's violations of the Kansas consumer protection act.

G. Defendant is ordered to pay \$60,000 in civil penalties to the State of Kansas as result of multiple violations of the Kansas consumer protection act.

H. Defendant is permanently enjoined and is ordered to immediately cease and desist from further acts declared herein to be violations of the Kansas consumer protection act.

I. Defendant is permanently enjoined from engaging in the unauthorized practice of law.

J. All court costs are assessed to the defendant.

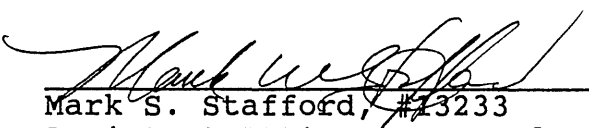
IT IS SO ORDERED.

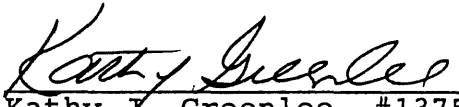
**RON ROGG**

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Judge of the District Court

PREPARED BY APPROVED BY:

  
Mark S. Stafford, #13233  
Assistant Attorney General

  
Kathy J. Greenlee, #13759  
Assistant Attorney General

Attorneys for Plaintiff