

95-019

FILED BY CLERK
KS DISTRICT COURT
3RD JUDICIAL DISTR.

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
Division 3 JUN 30 12 28 PM '95

GENERAL JURISDICTION
TOPEKA KANSAS

STATE OF KANSAS, ex rel.)
 CARLA J. STOVALL, Attorney General,)
)
 Plaintiff,)
)
 vs.)
)
 KENNETH R. COMBS and ROBERT G. COMBS)
 d/b/a/ GRAFFITI AUTO SALES)
)
 Defendants.)

Case No. 95-CV-747

JOURNAL ENTRY OF CONSENT JUDGMENT

NOW on this 30th day of June 1995, the plaintiff's petition for approval of consent judgment comes before the Court for consideration. The State of Kansas, ex rel. Carla J. Stovall, Attorney General, appears by and through C. Steven Rarrick, Assistant Attorney General. Defendants appear pro se.

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

1. Carla J. Stovall is the Attorney General of the State of Kansas.
2. Defendants admit the Court has personal and subject matter jurisdiction over the parties.
3. The State alleges that defendants violated the Kansas Consumer Protection Act ["KCPA"] by selling one 1983 Datsun

280ZX, vehicle identification number JN1HZ04S3DX569784, ["the Datsun"] to Crystal Kinzie without disclosing that the car was unsafe to drive in violation of K.S.A. 50-626(a) as defined by 50-626(b)(3).

4. Defendants deny committing any violation of the KCPA, but agree to this consent judgment in settlement of the State's claims.

5. Defendants agree and are hereby ordered to repurchase the Datsun from Crystal Kinzie for \$2706.69, payment of which shall be made by certified check upon the filing of this judgment.

6. Defendants agree and are hereby ordered to pay \$250 in penalties to plaintiff on or before the 91st day after the date of filing of this judgment.

7. Defendants agree and are hereby ordered to pay \$500 in investigative fees to plaintiff on or before the 91st day after the date of this judgment.

8. Defendants agree and are hereby ordered to pay \$250 to a charity, CASA of Shawnee County, Inc., said check to be delivered to plaintiff on or before the 91st day after the date of this judgment.

9. Defendants agree and is hereby ordered to pay all expenses of collection of this judgment including reasonable attorneys' fees.

10. Any further sale of the Datsun shall not be made by any of the defendants without disclosure to the buyer of the three opinions regarding the condition of the car, attached hereto as exhibits A, B, and C.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the stipulation and agreement of the parties contained herein are adopted and approved as the findings and orders of the Court pursuant to K.S.A. 50-632(b).

All costs assessed to defendant.

SO ORDERED.

/s/ Marla J. Luckert
DISTRICT COURT JUDGE

Approved by:

Carla J. Stovall

Carla J. Stovall, #11433
Attorney General

C. Steven Rarrick

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