

ELECTRONICALLY FILED
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CLERK OF THE SHAWNEE COUNTY DISTRICT COURT
CASE NUMBER: 2020-CV-000612



Court: Shawnee County District Court
Case Number: 2020-CV-000612
Case Title: State of Kansas ex rel Derek Schmidt Atty General
vs. Dustin Gregory
Type: Order for Default Judgment

SO ORDERED.

A handwritten signature in cursive script that reads "M.E. Christopher".

/s/ Honorable Mary E Christopher, District Judge

2. Plaintiff's Motion for Default Judgment is predicated on Defendant's failure to file an answer to the Plaintiff's Petition, which was filed on December 1, 2020. A copy of the Summons and the Petition were served on the Defendant on or about January 4, 2021 and January 14, 2021, by U.S. Certified Mail at the Defendant's last known address on file with the Court, as authorized by K.S.A. 60-303(c)(1).

3. Defendant failed to file an Answer within thirty (30) days after being served with process, as required by K.S.A. 60-212(a).

4. Defendant is not a minor or an incapacitated person.

5. Defendant is in default pursuant to K.S.A. 60-255.

6. The factual allegations set forth in the Plaintiff's Motion for Default Judgment are adopted by the Court as its findings of fact and conclusions of law as though fully set forth herein.

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 against Defendant and in favor of Plaintiff.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant's acts and practices referred to in Plaintiff's Petition are deceptive and unconscionable, and as such, are in violation of the Kansas Consumer Protection Act ("KCPA"), pursuant to K.S.A. 50-632(a)(1).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant be permanently enjoined from acting as a supplier as defined in K.S.A. 50-624(1) and from engaging

in consumer transactions as defined in K.S.A. 50-624(c) in the state of Kansas, pursuant to K.S.A. 50-632(a)(2).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay civil penalties in the amount of Ten Thousand Dollars (\$10,000.00) for violations of the KCPA alleged in the Plaintiff's Petition pursuant to K.S.A. 50-636(a), in the aggregate of Thirty Thousand Dollars (\$30,000.00).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay enhanced civil penalties in the amount of Ten Thousand Dollars (\$10,000.00) for violations of the KCPA alleged in the Plaintiff's Petition which the court determines was committed against a protected class pursuant to K.S.A. 50-676 and K.S.A. 50-677, in the aggregate of Thirty Thousand Dollars (\$30,000.00).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay consumer restitution in the amount of Eight Thousand Ninety-Two dollars and Eighty-Two cents (\$8,092.82) to be disbursed through the Plaintiff to Consumer J.S.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay investigative fees and expenses in the amount of \$450.00 to the Office of the Kansas Attorney General, pursuant to K.S.A. 50-632(a)(4) and K.S.A. 50-636(c).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant pay court costs and all other costs associated with collecting, distributing and executing on any restitution or judgment made by this Court and such other relief as the Court may deem just and appropriate.

IT IS SO ORDERED.

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

Respectfully submitted,

/s/ Kaley Schrader _____

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