

IN THE ELEVENTH JUDICIAL CIRCUIT, STATE OF MISSOURI
CIRCUIT JUDGE DIVISION

STATE OF MISSOURI, ex rel.
Attorney General Joshua D. Hawley,

Plaintiff,

vs.

KASEY R. HUDSON
An individual,

Defendant.

FILED

MAY 04 2018

JUDY ZERR
CIRCUIT CLERK
ST. CHARLES CO.

Case No. 1811CC-00088

DEFAULT JUDGMENT

On May 4, 2018, this Court finds as follows:

1. On January 26, 2018, Plaintiff filed a Petition for Permanent Injunction, Restitution, Civil Penalties, and Other Court Orders against Defendant.
2. The Petition alleged violations of Chapter 407 RSMo., the Missouri Merchandising Practices Act and Common Law Fraud.
3. On February 21, 2018, a copy of the summons and petition were served on Defendant at Defendant's dwelling house or usual place of abode with Defendant's father per Rule 54.13(b).
4. Pursuant to Rule 55.25 of the Missouri Rules of Civil Procedure, Defendant's Answer was due on or before March 23, 2018.

5. Defendant has not filed an Answer or any other responsive pleading to Plaintiff's Petition to date.

6. Pursuant to Rule 74.05(a) of the Missouri Rules of Civil Procedure, Plaintiff is entitled to a default judgment against Defendant Kasey Hudson.

WHEREFORE IT IS ORDERED, ADJUDGED, AND DECREED that final judgment is entered in favor of the State of Missouri and against Defendant Kasey Hudson.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson violated § 407.020, RSMo. by falsely promising consumers they would receive an asphalt driveway that would be the quality of a solid surface county- road and by falsely promising consumers a refund of monies when consumers complained of the quality of work.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson violated § 407.020, RSMo. by engaging in unfair practices in connection with the sale of driveway paving and resurfacing services by billing, charging, or attempting to collect payment from consumers for merchandise the consumers had not ordered or agreed to pay for, unilaterally breaching unambiguous provisions of contracts that Defendant had with consumers, unconscionably taking advantage of an unequal bargaining position and obtaining contracts which resulted in a

gross disparity of the values exchanged, and violating the statutes and common law of Missouri which presented a risk and caused a substantial injury to consumers.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in connection the sale of asphalt and asphalt paving services, Defendant intentionally engaged in fraud with consumers by making false, material representations, with knowledge of their falsity, and with the intent that the consumer act upon such. Consumers were unaware of the falsity of Defendant's representations and reasonably relied on the truth of such statements.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson and his agents, servants, employees, representatives, and other individuals acting at his direction or on his behalf are hereby enjoined from engaging in any conduct that violates § 407.020, RSMo., in the State of Missouri.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson and his agents, servants, employees, representatives, and other individuals acting at his direction or on his behalf are hereby enjoined from advertising, marketing, selling, or in any way engaging in paving or resurfacing services in the State of Missouri.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson shall pay \$83,500 to the State of Missouri as restitution per § 407.100.4, RSMo. Exhibit A attached to this judgment sets forth the names and amounts of payment awarded to each consumer as restitution.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Kasey Hudson shall pay civil penalties of \$9,000 to the State of Missouri per § 407.100.6.

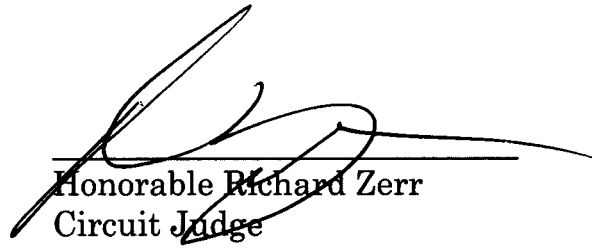
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that per § 407.140.3, RSMo., Defendant Kasey Hudson is liable for and shall pay or cause payment to be made in the amount of \$8,350 to the State of Missouri, an amount equal to 10% of the restitution, to be credited to the Merchandising Practices Revolving Fund.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay \$7,114.25 as costs of investigation and prosecution to the State of Missouri per § 407.130, RSMo.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that payment of any monies shall be first applied towards restitution of consumers until restitution is paid in full.

EXHIBITS 1-4 SUBMITTED, REVIEWED AND RETURNED

SO ORDERED:



Honorable Richard Zerr
Circuit Judge

EXHIBIT A

Kasey Hudson Consumer Complainants

Name:	Amount:
Larry Christian	\$7,500.00
Nancy Danner	\$9,800.00
Margie Heman	\$5,000.00
George and Freda Weber	\$7,000.00
Kathleen King	\$6,000.00
JaVain Mitten	\$11,200.00
Frank Grimes	\$8,000.00
Pansy Gott	\$5,000.00
Karla Chestnut	\$24,000.00

Total: \$83,500.00