

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

TERRESA ROBERTS, et al.,)	
)	
Plaintiffs,)	
)	Case No. 01-2113-CM
vs.)	
)	consolidated with
ART KORN, et al.,)	
)	Case No. 02-2536-KHV
Defendants.)	

AMENDED JUDGMENT IN A CIVIL CASE

This action came before the Court for a trial by jury on May 9, 2005. The issues were tried and the jury rendered its verdict on May 12, 2005, holding defendants Art Korn and Stephen W. Summers liable to the plaintiffs on their claims of violations of federal odometer law, civil conspiracy and fraud, and breaches of implied warranties/Magnuson-Moss Warranty Act. Judgment was entered in favor of the plaintiffs and against these defendants on May 12, 2005 (Doc. 291). Defendant Pete Angotti did not appear, and the clerk of this court entered default as to defendant Angotti on all of plaintiff Dowdall Engineering, Inc.'s claims, pursuant to Fed. R. Civ. P. 55(a), on May 9, 2005. Plaintiff Dowdall Engineering, Inc., subsequently filed its motion and fact submissions requesting judgment against defendant Angotti, and the court granted that motion by order of February 17, 2006 (Doc. 316). Defendant Summers and plaintiffs filed post-judgment motions, which were resolved by the court's order of March 1, 2006 (Doc. 317). Pursuant to the court's previous orders, the judgment of May 12, 2005, is amended, and judgment is entered as stated below.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiffs Terresa and Scott Roberts recover of Defendants Art Korn and Stephen W. Summers:

- 1) the sum of \$28,600.00, consisting of \$9,600.00 in actual damages, trebled under Title 49 U.S.C. § 32710(a); and
- 2) the sum of \$2,549.85 in prejudgment interest on the actual damages; and
- 3) the sum of \$53,358.68 in attorney's fees; and
- 4) their costs of action;

and that Plaintiffs Terresa and Scott Roberts recover of Defendant Art Korn the sum of \$15,000.00 in punitive damages;

and that Plaintiffs Terresa and Scott Roberts recover of Defendant Stephen W. Summers the sum of \$10,000.00 in punitive damages.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff Jourdan Penn recover of Defendants Art Korn and Stephen W. Summers:

- 1) the sum of \$43,200.00, consisting of \$14,400.00 in actual damages, trebled under Title 49 U.S.C. § 32710(a); and
- 2) the sum of \$3,335.90 in prejudgment interest on the actual damages; and
- 3) the sum of \$53,358.68 in attorney's fees; and
- 4) his costs of action;

and that Plaintiff Jourdan Penn recover of Defendant Art Korn the sum of \$15,000.00 in punitive damages;

and that Plaintiff Jourdan Penn recover of Defendant Stephen W. Summers the sum of \$10,000.00 in punitive damages.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff Dowdall Engineering, Inc., recover of Defendants Art Korn, Stephen W. Summers, and Pete Angotti:

- 1) the sum of \$54,000.00, consisting of \$18,000.00 in actual damages, trebled under Title 49 U.S.C. § 32710(a); and
- 2) the sum of \$4,541.63 in prejudgment interest on the actual damages; and
- 3) the sum of \$29,674.43 in attorney's fees; and
- 4) its costs of action;

and that Plaintiff Dowdall Engineering, Inc., recover of Defendant Art Korn the sum of \$15,000.00 in punitive damages;

and that Plaintiff Dowdall Engineering, Inc., recover of Defendant Stephen W. Summers the sum of \$10,000.00 in punitive damages;

and that Plaintiff Dowdall Engineering, Inc., recover of Defendant Pete Angotti the sum of \$50,000.00 in punitive damages.

Interest on the amounts in this Amended Judgment is at the rate of 4.77% as provided by law.

Date: March 24, 2006

s/ Carlos Murguia _____
Hon. Carlos Murguia
District Judge