

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

**TERRESA ROBERTS, et al.,**

**Plaintiffs,**

**v.**

**ART KORN, et al.,**

**Defendants.**

**CIVIL ACTION**

**No. 01-2113-CM**

**Consolidated with 02-2536-CM**

**MEMORANDUM AND ORDER**

This matter comes before the court on plaintiff Dowdall Engineering, Inc.'s Motion for Judgment by Default Against Defendant Pete Angotti (Doc. 293). Defendant Angotti has not appeared in this action, 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. has now requested that the court enter judgment against defendant Angotti pursuant to Fed. R. Civ. P. 55(b)(2). In support of its application, plaintiff Dowdall Engineering, Inc. submitted specific calculations of the proposed damages against defendant Angotti and evidence in support of the same.

Having considered plaintiff Dowdall Engineering, Inc.'s Motion for Judgment by Default and the evidence plaintiff Dowdall Engineering, Inc. submitted in support of the amount of damages, the court hereby grants plaintiff Dowdall Engineering, Inc.'s Motion for Judgment by Default Against Defendant Pete Angotti (Doc. 293).

**IT IS THEREFORE ORDERED** that judgment by default is entered against defendant Angotti, jointly with defendants Korn and Summers, for:

- (1) \$18,000 in actual damages on all of plaintiff Dowdall Engineering, Inc.'s claims (federal odometer law, fraud/civil conspiracy and breach of implied warranty/ Magnuson-Moss), with the \$18,000 trebled to \$54,000 under federal odometer law, 49 U.S.C. § 32710(a);
- (2) plaintiff Dowdall Engineering, Inc.'s attorney's fees (remaining to be determined in the post-judgment process); and
- (3) plaintiff Dowdall Engineering, Inc.'s costs.

**IT IS FURTHER ORDERED** that judgment by default is entered separately against defendant Angotti for \$50,000 in punitive damages on plaintiff Dowdall Engineering, Inc.'s claims.

**SO ORDERED.**

Dated this 17th day of February 2006, at Kansas City, Kansas.

s/ Carlos Murguia  
**CARLOS MURGUIA**  
**United States District Judge**