

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-99-15

STATE OF MAINE,

Plaintiff

v.

ROBERT BURNS,

Defendant

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ORDER

After hearing on damages held on October 28, 1999, the order and entry is as follows:

Robert Burns is ordered to pay restitution as follows:

\$100 to Joanne Prue;

\$500 to Kathy Karlow;

\$9,000 to Margaret Campbell;

\$3,000 to Bonnie Laverdiere;

\$8,400 to Dennis and Barbara Lund;

\$12,400 to Patricia Dearborn;

\$6,400 to Mary Bragdon.

2. This order does not preclude the Lunds from pursuing Mr. Burns for additional damages that they may be owed.

3. Robert Burns is ordered to pay a civil penalty of \$10,000 for intentionally violating the Unfair Trade Practices Act by advertising that government funds were available for home improvement loans in April of 1998.

A TRUE COPY
ATTEST:

Nancy A. Desjardins
Nancy A. Desjardins
Clerk of Courts

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ORDER

After hearing or opportunity for hearing, the order and entry is as follows:

1. Judgment by default is entered against the defendant Robert Burns.
2. The court finds that the defendant Robert Burns violated the Maine Unfair Trade Practices Act, 5 M.R.S.A. § 207, the Home Construction Contract Act, 10 M.R.S.A. § 1487 and the Maine Consumer Credit Code 9- A M.R.S.A. § 10-102 and 10-201 as alleged in the complaint.
3. The court finds that Robert Burns d/b/a Better Homes' advertisement that government loans were available for home improvements is an intentional violation of The Unfair Trade Practices Act.
4. It is ordered that Burns, his agents, servants, employees and those persons in active concert or participation with him who receive actual notice of this injunction are permanently enjoined from:
 - a. advertising or representing that there are government funds or loans available to finance home improvements that he makes;

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- b. entering into contracts with consumers in violation of the Home Construction Contract Act, 10 M.R.S.A. § 1487;
- c. acting as a Credit Services Organization, or brokering loans or arranging credit without being registered to do so with the Office of Consumer Credit Regulation pursuant to 9-A M.R.S.A. § 10-101 et seq

5. Robert Burns is ordered to pay restitution as follows:

- \$100 to Joanne Prue
- \$500 to Kathy Karlow;
- \$9,000 to Margaret Campbell;
- \$3,000 to Bonnie Laverdiere
- \$700 to Dennis and Barbara Lund

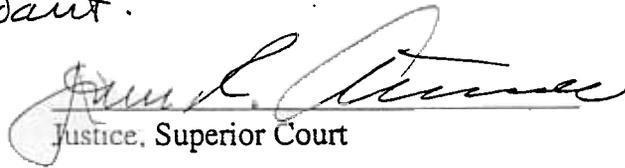
(f.) \$12,400 to Patricia Dearborn

6. Robert Burns is ordered to pay a civil penalty of \$10,000 for an intentional violation of the Unfair Trade Practices Act.

7. Robert Burns is ordered to pay the State its costs in bringing this lawsuit including its attorney's fees.

*Judgment is to be entered on paragraphs 1-4.
Paragraphs 5-7 are to be set for hearing with
notice to the defendant.*

Dated: June 4, 1999


Justice, Superior Court