

COPY

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-05-124

STATE OF MAINE,)
)
Plaintiff,)
)
v.)
)
KIMBERLY MARK SMITH and)
DAVID J. BLAIS, d/b/a CBS)
ENTERPRISES,)
)
Defendants.)

**DEFAULT JUDGMENT
AND ORDER**

On June 20, 2005, the Clerk entered a Default against the Defendants Smith and Blais. In a Motion dated June 27, 2005, the State requested a Default Judgment. The Defendants failed to respond to this Motion. The Court held a Damages Hearing on June 29, 2005 which the Defendants failed to appear at. At this hearing the Court directed the State to submit a proposed Order which would request restitution based on consumer affidavits. After hearing and upon consideration of the consumer affidavits submitted, the Court hereby grants Judgment in favor of the State of Maine as follows:

1. Defendants Smith and Blais have conducted their home construction contract business in violation of the Maine Unfair Trade Practices Act, 5 M.R.S.A. § 207 and the Maine Home Construction Contracts Act, 10 M.R.S.A. §§ 1486-1490.

2. Pursuant to 5 M.R.S.A. § 209 and M. R. Civ. P. 65, Defendants Smith and Blais are permanently enjoined, along with their agents, servants, employees, and those persons in active concert or participation with them who receive actual notice of this injunction from performing or contracting for any home construction work, including garages, additions,