STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT

CAUSE NO.: 49C01-0712-PL-051508

STATE OF INDIANA,

Plaintiff,

v.

PMA ENTERPRISES, INC., doing business as DREAM AUDIO WORKS, STEPHEN BRADLEY TAYLOR, ANDREW J. CRON, MATTHEW D. JARVIS, RYAN P. CRON, BRADLEY S. FOUTS, TOM HUYNH, PAUL MICHAEL ALLEN, and JOHN DOES 1-10,

Defendants.

FILED
95
JUN 23 2008
Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

DEFAULT JUDGMENT

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment, and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter jurisdiction and personal jurisdiction over the Defendant, Bradley S. Fouts.

2. The Defendant was served with a notice of these proceedings and a copy of the Complaint for Injunction, Restitution, Costs, and Civil Penalties.

3. More than twenty-three (23) days have passed since Service of Process was made on the Defendant.

4. The Defendant failed to appear, plead, or otherwise respond to the complaint.

5. The Defendant is not an infant, incompetent, or in military service.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Motion for Default Judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Bradley S. Fouts.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that pursuant to Indiana Code § 24-5-0.5-4(c)(1), the Defendant, Bradley S. Fouts, his agents, representatives, employees, successors and assigns, are permanently enjoined from engaging in the following:

a. representing expressly or by implication that the subject of a consumer transaction has sponsorship, approval, characteristics, accessories, uses, or benefits it does not have which the Defendant knows or reasonably should know it does not have;

b. representing expressly or by implication that the subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the Defendant knows or reasonably should know that it is not;

c. representing expressly or by implication that a specific price advantage exists as to the subject of a consumer transaction, if it does not and if the Defendant knows or reasonably should know that it does not.

d. representing expressly or by implication that any representation on or within a product or its packaging or in advertising or promotional materials, is true if the Defendant knows or has reason to know that such representation is false; and

e. in the course of soliciting and/or transacting with Indiana residents, violating any provision of the Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1 et seq.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered for the Plaintiff, State of Indiana, and against the Defendant, Bradley S. Fouts, as follows:

a. consumer restitution, pursuant to Ind. Code § 24-5-0.5-4(c)(2), for reimbursement of all unlawfully obtained funds remitted by consumers for the purchase of items from the Defendants, including, Mr. Karim Abdelkader of Bloomington Indiana, in the amount of Eight Hundred Dollars ($800.00);

b. costs, pursuant to Ind. Code §24-5-0.5-4(c)(3), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action in the amount of Eight Hundred Fifty Six Dollars and Twenty Five Cents ($856.25);

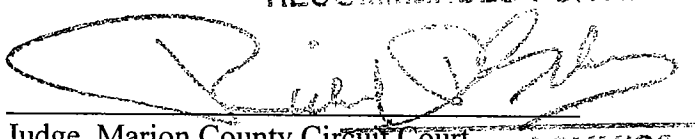
c. on Count II of the Plaintiff's complaint, civil penalties, pursuant to Ind. Code § 24-5-0.5-4(g), for the Defendant's knowing violations of the Deceptive Consumer Sales Act, in the amount of Five Thousand Dollars ($5,000.00), payable to the State of Indiana; and

d. on Count II of the Plaintiff's complaint, civil penalties, pursuant to Ind. Code § 24-5-0.5-8, for the Defendant's intentional violations of the Deceptive Consumer Sales Act, in the amount of Five Hundred Dollars ($500.00), payable to the State of Indiana.

A total monetary judgment in the amount of Seven Thousand One Hundred Fifty Six Dollars and Twenty Five Cents ($7,156.25) shall therefore be entered in favor of the Plaintiff, State of Indiana, and against the Defendant, Bradley S. Fouts.

All of which is **ORDERED, ADJUDGED, AND DECREED** this JUN 23 2008 day of _____, 2008.

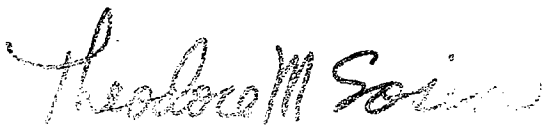
RECOMMENDED FOR APPROVAL



Judge, Marion County Circuit Court

COMMISSIONER

APPROVED AND ORDERED



Distribution:

January Portteus
Office of Attorney General
Indiana Government Center South
302 W. Washington Street, 5th floor
Indianapolis, IN 46204

Bradley S. Fouts
608 Tornado Drive
LaPorte, IN 46350

P. Adam Davis
Davis & Sarbinoff, LLP
9000 Keystone Crossing, Suite 660
Indianapolis, IN 46240