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IN THE SIXTH JUDICIAL DISTRICT
DISTRICT COURT, BOURBON COUNTY, KANSAS
CIVIL DEPARTMENT

SUSAN WALKER
f/k/a SUSAN BANCROFT,

Plaintiff,

vs.

BOARD OF COUNTY COMMISSIONERS
OF BOURBON COUNTY, KANSAS,

Defendant.

Case No. BB-2025-CV-000015

PURSUANT TO K.S.A. CHAPTER 60

MOTION FOR DEFAULT JUDGMENT

COMES NOW Plaintiff and pursuant to K.S.A. 60-255(a) moves for default judgment against Bourbon County for a total amount of \$199,527.04 plus pre-judgment and post-judgment interest.

In support, Plaintiff alleges as follows:

1. Plaintiff filed her First Amended Petition alleging breach of contract and violation of the Kansas Wage Payment Act (“KWPA”) on February 26, 2025.
2. Plaintiff properly served the First Amended Petition on the County Treasurer by registered mail on February 27, 2025.
3. Plaintiff received proof of service on March 3, 2025.

4. The County has elected not to answer or otherwise plead, nor has it communicated with counsel for the Plaintiff, though counsel for Plaintiff contacted counsel for the county both in writing and in a phone call prior to filing suit, but was ignored.

5. Plaintiff prayed for 28 days paid vacation each year that was promised but not paid from 2021 through the present of \$40,920.32; plus a KWPA 100% penalty, which is \$81,840.64 for her vacation claim. In addition, she prayed for the \$15,000 her salary was shorted when she changed jobs plus a KWPA 100% penalty for another \$30,000; plus four months severance, which is \$43,843.20 and a KWPA 100% penalty for \$87,686.40 for a total judgment of \$199,527.04.

WHEREFORE, K.S.A.60-255(a) provides that the court must enter default judgment for Plaintiff and against Defendant for \$199,527.04 plus pre-judgment and post-judgment interest, which was her prayer.

Respectfully submitted,

HITE, FANNING & HONEYMAN L.L.P.

By /s/ Gaye B. Tibbets

Gaye B. Tibbets #13240

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of April 2025, the above and foregoing Motion for Default Judgment was filed with the court using the eFlex system, which will send a notice of electronic filing to all counsel of record and that a true and correct copy was sent by certified mail to:

Board of County Commissioners
Bourbon County, Kansas
210 S. National Ave.
Fort Scott, KS 66701

/s/ Gaye B. Tibbets _____

Gaye B. Tibbets