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Attorney for Plaintiff

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2003 MAY 16 PM 2:07

R. HIGA
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of)	CIVIL NO. 02-1-1492-06 SSM
Consumer Protection,)	(Other Civil Action)
))
Plaintiff,)	DEFAULT JUDGMENT AGAINST
)	DEFENDANTS PICKERING UNIVERSITY
)	THE UNITED CONGREGATIONAL
)	CHURCH "SOCIETY OF FRIENDS
)	GROUP" AND ROBERT W. KELLER;
vs.)	EXHIBITS 1 AND 2
))
)	(Motion filed March 28, 2003)
))
PICKERING UNIVERSITY THE UNITED)	<u>HEARING</u>
CONGREGATIONAL CHURCH)	Date: May 12, 2003
"SOCIETY OF FRIENDS GROUP", a)	Time: 9:15 a.m.
Hawaii nonprofit corporation,)	Judge: Sabrina S. McKenna
WILLIAM REICHARD and ROBERT W.))
KELLER,))
)	Trial Date: None
)	SCF Date: None
Defendants.))

DEFAULT JUDGMENT AGAINST DEFENDANTS
PICKERING UNIVERSITY THE UNITED CONGREGATIONAL CHURCH
"SOCIETY OF FRIENDS GROUP" AND ROBERT W. KELLER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Business
Registration Division of the Department of Commerce and Consumer Affairs of the

JEFFREY E. BRUNTON #2833
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Honolulu, Hawaii 96813-2419
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Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of Consumer Protection,	)	CIVIL NO. 02-1-1492-06 SSM
	)	(Other Civil Action)
)	
Plaintiff,	)	DEFAULT JUDGMENT AGAINST
	)	DEFENDANTS PICKERING UNIVERSITY
	)	THE UNITED CONGREGATIONAL
	)	CHURCH "SOCIETY OF FRIENDS
vs.	)	GROUP" AND ROBERT W. KELLER;
	)	EXHIBITS 1 AND 2
)	
	)	(Motion filed March 28, 2003)
)	
PICKERING UNIVERSITY THE UNITED CONGREGATIONAL CHURCH "SOCIETY OF FRIENDS GROUP", a Hawaii nonprofit corporation, WILLIAM REICHARD and ROBERT W. KELLER,	)	<u>HEARING</u>
	)	Date: May 12, 2003
	)	Time: 9:15 a.m.
	)	Judge: Sabrina S. McKenna
)	
	)	Trial Date: None
	)	SCF Date: None
Defendants.)	
)	

DEFAULT JUDGMENT AGAINST DEFENDANTS
PICKERING UNIVERSITY THE UNITED CONGREGATIONAL CHURCH
"SOCIETY OF FRIENDS GROUP" AND ROBERT W. KELLER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Business
Registration Division of the Department of Commerce and Consumer Affairs of the

State of Hawaii shall and is hereby ordered to dissolve, terminate, revoke and/or cancel, all trademarks, corporate registrations (including that for Pickering University The United Congregational Church "Society of Friends Group") and certificates of authority held by or for Defendants Pickering University The United Congregational Church "Society of Friends Group" or Robert W. Keller.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that The Mail Exchange shall be and are hereby ordered to cease providing any services to any of the defendants, including but not limited to mailbox, mail services, professional telephone answering, voice mail, receptionist services, directory listings and/or business address services.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants Pickering University The United Congregational Church "Society of Friends Group" and Robert W. Keller, their agents, employees, successors and assigns, directly or indirectly, individually or in concert with others, or through any corporate or other device, be and are hereby permanently enjoined from:

- a. Providing any post-secondary instructional programs or courses leading to a degree;
- b. Acting as or holding themselves out as a "college, academy, institute, institution, university" or anything similar thereto;
- c. Failing to comply with Hawaii Rev. Stat. Chap. 446E or § 480-2(a) in any particulars; and

- d. Owning or operating any business in the State of Hawaii or claiming to operate under the laws of the State of Hawaii until all restitution, civil penalties and costs entered herein are fully satisfied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendants Pickering University The United Congregational Church "Society of Friends Group" and Robert W. Keller, jointly and severally, shall implement a restitution program as follows. Defendants Pickering University The United Congregational Church "Society of Friends Group" and Robert W. Keller be and are hereby ordered to immediately compile a list of those students who enrolled in or graduated from Pickering University subsequent to July 1, 1999 and to send a written offer of restitution to each such individual in the appropriate form attached as Exhibits 1 or 2. Defendants Pickering University The United Congregational Church "Society of Friends Group" and Robert W. Keller, jointly and severally, be and are hereby ordered, adjudged and decreed to make restitution to anyone requesting it within twenty days of the receipt of such a request.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Pickering University The United Congregational Church "Society of Friends Group" be and hereby is liable to Plaintiff for civil penalties in the amount of \$250,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Robert W. Keller be and hereby is liable to Plaintiff for civil penalties in the amount of \$250,000.00.

There are no remaining claims against any party.

DATED: Honolulu, Hawaii, _____.

Judge of the above-entitled Court

Civil No. 02-1-1492-06 SSM; State of Hawaii v. Pickering University The United Congregational Church "Society of Friends Group", William Reichard and Robert W. Keller; DEFAULT JUDGMENT AGAINST DEFENDANTS PICKERING UNIVERSITY THE UNITED CONGREGATIONAL CHURCH "SOCIETY OF FRIENDS GROUP" AND ROBERT W. KELLER

Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Pickering University The United Congregational Church "Society of Friends Group" was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid conditioned only on return of the diploma. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us with the diploma. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

_____, President
Pickering University The United
Congregational Church "Society of Friends
Group"

Enc.

Date

Name
Address
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Pickering University The United Congregational Church "Society of Friends Group" was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

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Very truly yours,

_____, President
Pickering University The United
Congregational Church "Society of
Friends Group"

Enc.

EXHIBIT 1

Date

Name
Address
City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, Pickering University The United Congregational Church "Society of Friends Group" was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us. Your refund will be processed within twenty days from its receipt.

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If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

_____, President
Pickering University The United
Congregational Church "Society of Friends
Group"

Enc.

Date

Name

Address

City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, Pickering University The United Congregational Church "Society of Friends Group" was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

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Very truly yours,

_____, President
Pickering University The United
Congregational Church "Society of
Friends Group"

Enc.

EXHIBIT

2