

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
TWELFTH DIVISON

STATE OF ARKANSAS *ex rel.*
LESLIE RUTLEDGE, ATTORNEY
GENERAL

PLAINTIFF

v. CASE NO. 60CV-20-449

ROBERT STEVENS d/b/a PRO-PAVE
ASPHALT, d/b/a ROBERT STEVENS
CONSTRUCTION, and d/b/a R S
ASPHALT

DEFENDANT

ORDER GRANTING STATE'S MOTION FOR RELIEF

Currently before the Court is the Plaintiff's Motion for Relief against Robert Stevens d/b/a Pro-Pave Asphalt, d/b/a Robert Stevens Construction, and d/b/a R S Asphalt ("Defendant"). Accordingly, the Court hereby finds the following:

1. The Court finds that Defendant has harmed six (6) consumers identified in the State's Motion for Relief.
2. Pursuant to Ark. Code Ann. §4-88-113(a)(2), Defendant shall pay \$40,480 in restitution to the consumers identified in the State's Motion for Relief.
3. Pursuant to Ark. Code Ann. §4-88-113(a)(3), Defendant is assessed civil penalties in the amount of \$200,000 for twenty (20) violations of the Arkansas Deceptive Trade Practices Act, Ark. Code Ann. §§ 4-88-101, *et seq.* ("ADTPA") and the

Home Solicitation Sales Act ("HSSA"), Ark. Code Ann. § 4-89-102, as alleged in the State's Complaint and the evidence and brief supporting the State's Motion for Relief.

4. Pursuant to Ark. Code Ann. § 4-88-201, Defendant is assessed enhanced civil penalties in the amount of \$10,000 per violation committed against "elder persons" for a total of \$40,000 for 4 violations.

5. Pursuant to Ark. Code Ann. §4-88-113(b), and for good cause shown, Defendant's business or professional licenses issued by any Arkansas city, county, or state entity are hereby suspended until Defendant has paid all the civil penalties, fees, and costs ordered by this Court.

6. Pursuant to Ark. Code Ann. § 4-88-113(a), the Court finds that an injunction against Defendant's business practices is necessary in order to prevent the use or employment of any prohibited practices in violation of the ADTPA. Defendant is hereby enjoined from engaging in any business related to asphalt or paving in Arkansas until Defendant has paid all the civil penalties, fees, and costs ordered by this Court.

7. Pursuant to Ark. Code Ann. §4-88-113(e), Defendant shall pay the State's fees and costs including \$187.50 for filing fees and \$95 for service of process.

8. Pursuant to Ark. Code Ann. §16-66-221, Defendant shall file a schedule of property, verified by affidavit, within forty-five (45) days of the entry of this judgment detailing all property, both real and personal, including monies, bank accounts, rights, credits, and choses in action held, and specify the particular property

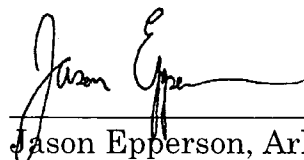
Defendant claims as exempt. Failure to file a schedule of property shall constitute grounds for contempt.

For the above-stated reasons, and for those reasons included in the State's Motion for Relief and accompanying Brief in Support, Plaintiff's Motion for Relief is hereby GRANTED.

IT IS SO ORDERED, this 13th day of January, 2020.


CIRCUIT JUDGE

Order Prepared By:



Jason Epperson, Ark. Bar No. 2015083
Assistant Attorney General
Arkansas Attorney General's Office
323 Center Street, Suite 200
Little Rock, AR 72201
Telephone (501) 682-6491
Facsimile: 501-682-8118
Jason.Epperson@ArkansasAG.gov

Judge Gray
Date 1/13/21 DW 12
Jury Trial ☐
Bench Trial ☐
Non-Trial ☒