

**IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT - CHAPTER 60**

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| THE KANSAS BOARD OF EXAMINERS IN OPTOMETRY, |) | |
| |) | |
| Plaintiff, |) | Case No. 18CV4524 |
| |) | |
| vs. |) | Division No. 2 |
| |) | |
| SHAWNEE OPTIX LLC, |) | |
| |) | |
| Defendant. |) | |

STIPULATED PERMANENT RESTRAINING ORDER

Plaintiff The Kansas Board of Examiners in Optometry appears by and through counsel Brenda L. Head of Frieden & Forbes, LLP; Defendant Shawnee Optix LLC appears by and through counsel Keith J. Shuttleworth of the Shuttleworth Law Firm, LLC, and through this signed Stipulated Permanent Restraining Order.

The parties stipulate and agree to entry of a Permanent Restraining Order against Defendant, as follows:

1. Plaintiff filed a claim against Defendant, alleging that Defendant violated the Kansas Optometry Law. Based upon Plaintiff’s allegations, the Court issued an ex parte Temporary Restraining Order on August 14, 2018.
2. Defendant denies the allegations made by Plaintiff.
3. Defendant acknowledges that it is prohibited from engaging in the sale or distribution of prescription lenses in the State of Kansas without a valid and current prescription from a duly licensed optometrist or a person licensed to practice medicine and surgery.
4. Defendant acknowledges that it is prohibited from violating the Kansas Optometry Law, K.S.A. 65-1501 et seq .
5. Defendant hereby authorizes this Court to enter the Permanent Restraining Order.

Based upon the parties’ stipulations, the Court issues the following orders which are to be strictly followed by all parties:

1. Defendant is permanently restrained from engaging in the sale or distribution of prescription lenses in the State of Kansas without a valid and current prescription from a duly licensed optometrist or a person licensed to practice medicine and surgery.

2. Defendant is further permanently restrained from violating the Kansas Optometry Law, K.S.A. 65-1501 et seq .

IT IS SO ORDERED.

/s/ JAMES F VANO
Dated: 07/08/19

Honorable James F. Vano
DISTRICT COURT JUDGE

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