

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this Court incorporates by reference the entirety of its Order entered into this Court's docket on January 24, 2001 in this matter which found, *inter alia*, Zdenek Kieslich, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund liable for each of the acts alleged by Plaintiff, SEC in its Original Complaint and which found the allegations of the Original Complaint to be true.

IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that, as a direct result of the acts enumerated in the SEC's Original Complaint and already found by this Court to be true, Defendants, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund are liable, jointly and severally for damages in a quantifiable and liquidated sum. This Court finds that Defendants, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund are liable, jointly and severally, in an amount no less than \$50,750,607.74.

The Court finds that, the Receiver and the SEC have recovered a total amount of \$15,774,159.07, which funds are in the process of being repatriated to investors in accordance with the Receiver's Distribution Plan and/or other Order of this Court. Therefore, the Court finds that the \$15,774,159.07 should offset the \$50,750,607.74 and thus, the unrecovered amount of monies, totals \$34,976,448.67.

IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that as a direct result of the acts enumerated in the SEC's Original Complaint and already found by this Court to be true, Defendant Zdenek Kieslich is liable for damages in a quantifiable and liquidated sum. This Court further finds that Defendant Kieslich was the primary principal of Defendant Le Club Prive. This Court finds that Defendant Kieslich received membership dues totaling \$9,886,435.00 from regular Le Club Prive members; that Defendant Zdenek Kieslich received membership dues totaling \$8,391,990.00 from Premier Le Club Prive members; and, that Defendant Zdenek Kieslich, received monthly dues totaling \$3,501,500.00 paid by Le Club Prive members. T h e C o u r t

therefore finds that the total funds received by Defendant Zdenek Kieslich as a result of his direct participation and control of the Le Club Prive fraud is \$21,779,925.00.

The Court finds that Defendant Zdenek Kieslich incurred costs of \$2,531,000.00. Therefore, the Court finds that the amount of \$21,779,925.00 should be offset by the amount of \$2,531,000.00. Thus, a subtotal of the amount of monetary damages resultant from the actions of Defendant Zdenek Kieslich is \$19,248,925.00.

IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that as a result of this Court's prior judgment finding Defendants, Zdenek Kieslich, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund in contempt, these Defendants are to pay sanctions in the amount of \$87,500.00.

IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that, as a result of Defendants' ongoing noncompliance with this Court's Orders, the Receiver, his staff, and the accountants he employs, were forced to incur reasonable and necessary fees in conducting their investigation. To date the reasonable and necessary attorneys' and accountants' fees attributable to the Defendants' ongoing contempt is \$600,000.00.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff SEC shall have judgment against Defendants Le Club Prive, Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund, and that Defendants, jointly and severally, shall pay disgorgement in the amount of \$35,663,948.67 and prejudgment interest thereon. This amount reflects the sum of the total unrecovered monies, Defendants' contempt sanctions, and the resultant reasonable and necessary fees incurred by Receiver's counsel and the professionals the Receiver employs. This sum is representative of the proceeds paid or attributable to Defendants' conduct as described in the SEC's complaint.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff SEC shall have judgment against Defendant Zdenek Kieslich and that Defendant Zdenek Kieslich shall pay disgorgement in the amount of \$19,936,425.00 and prejudgment interest thereon. This amount

reflects the sum of the net amount received by Defendant Zdenek Kieslich as a result of the scam, his contempt sanctions, and the resultant reasonable and necessary fees incurred by Receiver's counsel and the professionals the Receiver employs. This sum is representative of the proceeds paid or attributable to Defendant Kieslich's conduct as described in the SEC's complaint.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Zdenek Kieslich, Le Club Prive, Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund, shall pay the disgorgement and prejudgment interest thereon within ten (10) days of entry of this Final Judgment. It is further specifically DECLARED that the Receiver is entitled to recover any and all assets of Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund up to \$35,663,948.67 plus prejudgment thereon; and any and all assets of Defendant Zdenek Kieslich up to \$19,936,425.00 plus prejudgment thereon

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants be liable for post-judgment interest in the amount of 10% per annum, compounded annually until paid.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all funds shall be paid to Joseph J. Wielebinski, Receiver or his designee or assignee or as he may direct, who shall, in turn, use such funds for such purposes as the Court may allow pursuant to the Receiver's Distribution Plan or other Order of this Court. All persons with notice of this Order are hereby DIRECTED to transfer to the Receiver any and all assets of, together with copies of all records with respect to any account, transfer, operations, or activity of or relating to Zdenek Kieslich, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the SEC has specifically reserved its right to move this Court at a later date and seek to amend this Order to include any appropriate statutory penalties against the Defendants.

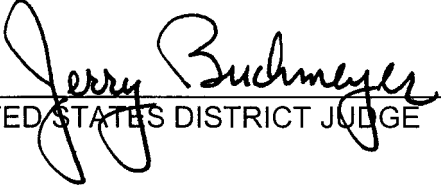
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the SEC and/or the Receiver may pursue such means as are appropriate and necessary at law or equity to collect this Final Judgment from Defendants Zdenek Kieslich, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund or their agents or assigns, including, but not by way of limitation, obtaining writs of execution or law for real or personal property or funds, or pursuing collateral actions in this Court against persons holding funds or assets for or on behalf of Defendants.

The Court shall retain continuing jurisdiction to enforce this Order and its Order Appointing Permanent Receiver, and to provide such supplemental relief as may be necessary to ensure that this Order be enforced.

Additionally, this Court, on behalf of the Government of the United States of America, hereby formally requests the assistance in carrying out the terms of this Order from the Governments of Costa Rica and Latvia, and any other foreign governments in whose lands funds being held by Zdenek Kieslich, Le Club Prive, S.A., Le Baron Solidarity, S.A., Le Baron Insured Fund, Le Baron High Income Fund, and Le Baron High Yield Fund are located. The Court promises that the SEC, through the Receiver, shall fully reimburse the Governments of Costa Rica and Latvia, and any other foreign governments, for any costs or expenses incurred in association with assisting the carrying out of this Order, and respectfully offers the sincere gratitude of the people of the United States of America.

There being no just reason for delay, the Clerk of Court is hereby directed to enter this Final Judgment pursuant to Rules 58 and 79, Fed. Rules Civ. Proc., 28 U.S.C.A.

SIGNED this 9 day of Nov., 2001.


UNITED STATES DISTRICT JUDGE