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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MICHAEL T. UBERUAGA, EDWARD P.  
RYAN, PATRICIA FRAZIER, TERESA A.  
WEBSTER, and MARY E. VATTIMO,

Defendants.

Case No. 08CV00625 DMS (WVG)

**FINAL JUDGMENT AS TO DEFENDANT  
MICHAEL T. UBERUAGA**

1 Plaintiff Securities and Exchange Commission (“Commission”) having filed a Third  
2 Amended Complaint and Defendant Michael T. Uberuaga (“Defendant”) having entered a  
3 general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter  
4 of this action; consented to entry of this Final Judgment without admitting or denying the  
5 allegations of the Third Amended Complaint (except as to jurisdiction); waived findings of fact  
6 and conclusions of law; and waived any right to appeal from this Final Judgment:

7 **I.**

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and  
9 Defendant’s agents, servants, employees, attorneys, and all persons in active concert or  
10 participation with them who receive actual notice of this Final Judgment by personal service or  
11 otherwise are permanently restrained and enjoined from violating Section 17(a)(2) of the  
12 Securities Act of 1933 (the “Securities Act”), 15 U.S.C. § 77q(a)(2), in the offer or sale of any  
13 security by the use of any means or instruments of transportation or communication in interstate  
14 commerce or by use of the mails, directly or indirectly, by obtaining money or property by  
15 means of any untrue statement of a material fact or any omission of a material fact necessary in  
16 order to make the statements made, in light of the circumstances under which they were made,  
17 not misleading.

18 **II.**

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a  
20 civil penalty in the amount of \$25,000 pursuant to Section 20(d) of the Securities Act, 15 U.S.C.  
21 § 77t(d). Defendant shall make this payment within 14 days after entry of this Final Judgment  
22 by certified check, bank cashier’s check, or United States postal money order payable to the  
23 Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of  
24 Financial Management, Securities and Exchange Commission, Operations Center, 6432 General  
25 Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter  
26 identifying Michael T. Uberuaga as a defendant in this action; setting forth the title and civil  
27 action number of this action and the name of this Court; and specifying that payment is made  
28 pursuant to this Final Judgment. Defendant shall pay post-judgment interest on any delinquent

1 amounts pursuant to 28 U.S.C. § 1961. The Commission shall remit the funds paid pursuant to  
2 this paragraph to the United States Treasury.

3 **III.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of  
5 Defendant Michael T. Uberuaga is incorporated herein with the same force and effect as if fully  
6 set forth herein, and that Defendant shall comply with all of the undertakings and agreements set  
7 forth therein.

8 **IV.**

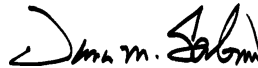
9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain  
10 jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

11 **V.**

12 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil  
13 Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

14 **IT IS SO ORDERED.**

15 DATED: October 27, 2010

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17 **HON. DANA M. SABRAW**  
United States District Judge