

UNITED STATES DISTRICT COURT  
of the  
DISTRICT OF COLUMBIA

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

v.

W. BLAKE BROCK;  
KATHY O. BROCK; and  
KENNETH L. UNKER

Defendants.

01 1087

Civil No. \_\_\_\_\_

FILED ✓

MAY 18 2001

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

JUDGMENT AS TO DEFENDANT KENNETH L. UNKER

Defendant Kenneth L. Unker ("Defendant") having: (i) entered a general appearance; (ii) consented to the Court's jurisdiction over himself and the subject matter of this action; (iii) without admitting or denying the allegations of the Complaint, consented to entry of this Judgment without further notice; (iv) waived findings of fact and conclusions of law; and (v) waived any right to appeal from this Judgment, it is now:

**ORDERED, ADJUDGED AND DECREED** that Defendant, and Defendant's officers, agents, servants, employees and attorneys, and those persons in active concert of participation with him who receive actual notice of this Judgment, are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 [15 U.S.C. §77q(a)] by, in the offer or sale of any securities by the use of any means or instruments of transportation or communication in

(1)

2

interstate commerce or by the use of the mails, directly or indirectly, (1) employing any device, scheme or artifice to defraud, (2) obtaining money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or (3) engaging in any transaction, practice or course of business which operates or would operate as a fraud or deceit upon any purchaser.

**ORDERED, ADJUDGED AND DECREED** that Defendant, and Defendant's officers, agents, servants, employees and attorneys, and those persons in active concert of participation with him who receive actual notice of this Judgment, are permanently restrained and enjoined from violating Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 CFR § 240.10b-5] thereunder, directly or indirectly, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security, (1) employing any device, scheme or artifice to defraud, (2) making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or (3) engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

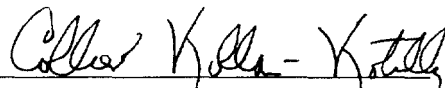
**ORDERED, ADJUDGED AND DECREED** that Defendant is liable for disgorgement of \$96,496.30, representing profits gained and losses avoided as a result of the conduct alleged in the Complaint, together with prejudgment interest in the amount of \$30,511.86, for a total of \$127,008.16. This obligation will be satisfied by payment of \$127,008.16 within fifteen business days to the Clerk of this Court, together with a letter specifying that payment is made pursuant to

this Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the Plaintiff Securities and Exchange Commission's ("the Commission") counsel in this action. The Clerk shall hold these funds in the Registry, in an interest-bearing account, pending further order. By making this payment, Defendant relinquishes all legal and equitable right, title and interest in such funds, and no part of the funds shall be returned to the Defendant.

**ORDERED, ADJUDGED AND DECREED** that Defendant is liable to pay a civil penalty of \$31,343.65 pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1]. This obligation will be satisfied by payment of \$31,343.65 within fifteen business days to the Comptroller of the Commission, together with a letter specifying that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. The Commission shall forward such funds to the U.S. Treasury.

There being no just reason for delay, pursuant to Fed. R. Civ. P. 54(b), the Clerk is ordered to enter this Judgment forthwith and without further notice.

Dated: May 17, 2001

  
UNITED STATES DISTRICT JUDGE