

UNITED STATES DISTRICT COURT
for the
DISTRICT OF COLUMBIA

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SECURITIES AND EXCHANGE COMMISSION :
450 Fifth Street, NW :
Washington, DC 20549, :
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 Plaintiff, :
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 v. :
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 MICHAEL A. PORTER, :
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 :
 Defendant. :
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 :
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Civil Action No. *02-1001*

FILED

JAN 16 2002

cdc
KATH WASHINGTON, CLERK
U.S. DISTRICT COURT

FINAL JUDGMENT AS TO MICHAEL A. PORTER

Plaintiff Securities and Exchange Commission ("SEC")
having filed its Complaint, and defendant Michael A. Porter
("Porter") having in his ^{*attached*} Consent entered a general
appearance; admitted the Court's jurisdiction over him and
over the subject matter of this action; waived service of
process; waived the filing of an answer and the entry of
findings of fact and conclusions of law pursuant to Rule 52
of the Federal Rules of Civil Procedure; waived any right
which he may have to appeal from this Final Judgment; and,
without admitting or denying any of the allegations of the
Complaint, except as to jurisdiction, which he admits,
having consented to the entry of this Final Judgment; and
it further appearing that this Court has jurisdiction over
Porter and the subject matter hereof, and the Court being
fully advised in the premises:

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I

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Porter, his agents, servants, employees, attorneys, and those persons in active concert or participation with him who receive actual notice of this Final Judgment by personal service or otherwise, and each of them, be and hereby are permanently restrained and enjoined from violating, 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, Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)], and Rule 10b-5 promulgated there under [17 C.F.R. § 240.10b-5], by:

a. employing any device, scheme, or artifice to defraud;

b. 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

c. engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,
in connection with the purchase or sale of any security.

II

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Porter pay a civil penalty of \$25,000 pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. DeSantis shall pay the \$25,000 to the United States Treasury within ten (10) days of the entry of the Final Judgment. Such payment shall be (a) made by United States postal money order, certified check, bank cashier's check or bank money order; (b) made payable to the Securities and Exchange Commission; (c) hand-delivered or mailed to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, VA 22312; and (d) submitted with a cover letter that identifies Porter as a defendant in this action, the caption and the civil action number of this action, and the name of this Court. A copy of the cover letter and money order or check shall also be sent to Cheryl Scarboro, Assistant Director, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0706.

III

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Porter's Consent be, and hereby is, incorporated herein with the same force and effect as if fully set forth herein.

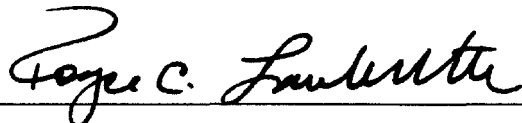
IV

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction for the purpose of enforcing the Final Judgment.

VI

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

Dated: 1-15-02


Roger C. Lander
United States District Judge