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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

NEW ENERGY CORP.; TOR
EWALD; GENEVA FINANCIAL
LTD.; MARCELINO COLT aka
MARCELINO COLT VASQUEZ;
MAGNUM FINANCIAL GROUP,
LLC dba STRATOS RESEARCH,
LLC; MICHAEL S. MANAHAN; BLD
TRUST; BARCLAY DAVIS;
LORETTA DAVIS; BURKE T.
MAXFIELD; YORK CHANDLER;
and HECTOR CAMPA ACEDO,

Defendants.

Case No. CV-02-0989 MMM (CWx)

**FINAL JUDGMENT OF
PERMANENT INJUNCTION
AND OTHER RELIEF AGAINST
MARCELINO COLT aka
MARCELINO COLT VASQUEZ,
GENEVA FINANCIAL LTD., AND
HECTOR CAMPA ACEDO**

24 The Court having issued an order filed June 2, 2003, granting the motion of
25 Plaintiff Securities and Exchange Commission ("Commission") for a default
26 judgment against defendants Marcelino Colt aka Marcelino Colt Vasquez ("Colt"),
27 Geneva Financial Ltd. ("Geneva"), and Hector Campa Acedo ("Acedo"):

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I.

IT IS ORDERED, ADJUDGED AND DECREED that Colt and Geneva, and their agents, servants, employees, and all persons in active concert or participation with any of them, who receive actual notice of this Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from, directly or indirectly, in the offer or sale of the securities of any issuer, by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails:

- A. employing any device, scheme or artifice to defraud;
 - B. 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
 - C. engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser;
- in violation of Section 17(a) of the Securities Act of 1933, 15 U.S.C. § 77q(a).

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Colt and Geneva, and their agents, servants, employees and attorneys, and all persons in active concert or participation with any of them, who receive actual notice of this Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from, directly or indirectly, in connection with the purchase or sale of any security, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange:

- 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

1 C. engaging in any act, practice, or course of business which operates or
2 would operate as a fraud or deceit upon any person;
3 in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C.
4 § 78j(b) (the "Exchange Act"), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.

5 III.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Colt and
7 Geneva shall pay, jointly and severally, disgorgement in the amount of \$495,846.38,
8 representing ill-gotten gains as a result of the conduct alleged in the Complaint, plus
9 prejudgment interest in the amount of \$14,875.03. Colt and Geneva shall pay, by
10 cashier's check, certified check, or postal money order, the total sum of \$510,721.41
11 in disgorgement and interest within thirty (30) days of entry of this Judgment. This
12 disgorgement payment shall be made payable to the Securities and Exchange
13 Commission and shall be transmitted to the Office of Financial Management, Securities
14 and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop
15 0-3, Alexandria, VA 22312, under cover of a letter that identifies the defendant, the
16 name and case number of this litigation, and the court. Copies of this cover letter and
17 the means of payment shall be simultaneously transmitted to counsel for the
18 Commission in this action at its Pacific Regional Office.

19 IV.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Colt is
21 assessed, and shall pay to the Commission for delivery to the United States Treasury,
22 civil penalties in the amount of \$120,000 pursuant to Section 20(d) of the Securities
23 Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. §
24 78u(d)(3). Colt shall pay the above penalty by cashier's check, certified check, or
25 postal money order within thirty (30) days of entry of the Judgment. This payment
26 shall be made payable to the United States Treasury and shall be transmitted to the
27 Office of Financial Management, Securities and Exchange Commission, Operations
28 Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, VA 22312, under cover

1 of a letter that identifies the defendant, the name and case number of this litigation, and
2 the court. Copies of this cover letter and the certified check shall be simultaneously
3 transmitted to counsel for the Commission in this action at its Pacific Regional Office.

4 V.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Geneva is
6 assessed, and shall pay to the Commission for delivery to the United States Treasury,
7 civil penalties in the amount of \$600,000 pursuant to Section 20(d) of the Securities
8 Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. §
9 78u(d)(3). Geneva shall pay the above penalty by cashier's check, certified check, or
10 postal money order within thirty (30) days of entry of the Judgment. This payment
11 shall be made payable to the United States Treasury and shall be transmitted to the
12 Office of Financial Management, Securities and Exchange Commission, Operations
13 Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, VA 22312, under cover
14 of a letter that identifies the defendant, the name and case number of this litigation, and
15 the court. Copies of this cover letter and the certified check shall be simultaneously
16 transmitted to counsel for the Commission in this action at its Pacific Regional Office.

17 VI.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, to the extent
19 that Colt and Geneva do not satisfy the judgment entered against them, relief defendant
20 Campa shall pay disgorgement in the amount of \$120,020, representing ill-gotten gains
21 as a result of the conduct alleged in the Complaint and later disbursed to Campa, plus
22 prejudgment interest in the amount of \$3,593.12. Campa shall pay, by cashier's
23 check, certified check, or postal money order. This disgorgement payment shall be
24 made payable to the Securities and Exchange Commission and shall be transmitted to
25 the Office of Financial Management, Securities and Exchange Commission,
26 Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, VA 22312,
27 under cover of a letter that identifies the defendant, the name and case number of this
28 litigation, and the court. Copies of this cover letter and the means of payment shall be

1 simultaneously transmitted to counsel for the Commission in this action at its Pacific
2 Regional Office.

3 VII.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court
5 shall retain jurisdiction over this action for all purposes, including to implement and
6 enforce the terms of this Judgment and other orders and decrees which may be
7 entered, and to grant such other relief as this Court may deem necessary and just.

8 VIII.

9 There being no just reason for delay, the Clerk of the Court is hereby
10 directed, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, to enter
11 this Judgment.

12
13 DATED: 8/15/03

Margaret M. Morrow
14 UNITED STATES DISTRICT JUDGE

15 Submitted By:

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17 *John B. Bulgozdy*
18 John B. Bulgozdy
19 Attorney for Plaintiff
20 Securities and Exchange Commission
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PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION, 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036.

Telephone: (323) 965-3998 Fax: (323) 965-3908

On July 23, 2003, I served the document entitled **FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST MARCELINO COLT aka MARCELINO VASQUEZ, GENEVA FINANCIAL LTD., AND HECTOR CAMPA ACEDO** upon the parties to this action addressed as stated on the attached service list:

OFFICE MAIL: By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

PERSONAL DEPOSIT IN MAIL: By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

EXPRESS U.S. MAIL: Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

PERSONAL SERVICE: I caused to be personally delivered each such envelope by hand to the office of the addressee in the attached service list.

FEDERAL EXPRESS: By placing in sealed envelope(s) designated by Federal Express with delivery fees paid or provided for, which I deposited in a facility regularly maintained by Federal Express or delivered to a Federal Express courier, at Los Angeles, California.

FAX (BY AGREEMENT ONLY): By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

(Federal) I declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made. I declare under penalty of perjury that the foregoing is true and correct

Date: July 23, 2003

Magnolia M. Marcelo
MAGNOLIA M. MARCELO

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