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Plaintiff's Trial Counsel
2 Securities and Exchange Commission
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3 Washington, DC 20549-0911
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MAR 17 2003
CENTRAL DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

LOGGED

2003 MAR 17 11 56 AM '03

CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA OFFICE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

12 NORTH AMERICAN MEDICAL
13 PRODUCTS, INC., ARTHUR
14 GIANAKOS, PAUL WAYNE
15 MASON (a/k/a LOUIS RONNIE
16 SARPY), LAURENCE MARK
ANDERSON (a/k/a RON
LAURENCE), KRISTEN LUCK
EMERY, and NIKO G.
EFSTATHIOU,

Defendants.

SACV 03-250

NO. CV 03-
SACV 03-250 AHS
FINAL JUDGMENT OF
PERMANENT INJUNCTION
AND OTHER RELIEF AS TO
DEFENDANT NIKO G.
EFSTATHIOU

AHS
(ANX)

ENTERED
MAR 18 2003
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA OFFICE
BY [Signature] DEPUTY

19 The Securities and Exchange Commission having filed a Complaint and
20 Defendant Niko G. Efstathiou ("Defendant") having entered a general appearance;
21 consented to the Court's jurisdiction over Defendant and the subject matter of this
22 action; consented to entry of this Final Judgment without admitting or denying the
23 allegations of the Complaint (except as to jurisdiction); waived findings of fact and
24 conclusions of law; and waived any right to appeal from this Final Judgment:

I.

25 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant, Defendant's
26 agents, servants, employees, attorneys, assigns, and all persons in active concert or
27 participation with them who receive actual notice of this Final Judgment by personal
28 service or otherwise are permanently restrained and enjoined from violating, directly

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1 or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange
2 Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R.
3 § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the
4 mails, or of any facility of any national securities exchange, in connection with the
5 purchase or sale of any security:

- 6 (a) to employ any device, scheme, or artifice to defraud;
- 7 (b) to make any untrue statement of a material fact or to omit to state a
8 material fact necessary in order to make the statements made, in the light of the
9 circumstances under which they were made, not misleading; or
- 10 (c) to engage in any act, practice, or course of business which operates or
11 would operate as a fraud or deceit upon any person.

12 II.

13 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant,
14 Defendant's agents, servants, employees, attorneys, assigns, and all persons in active
15 concert or participation with them who receive actual notice of this Final Judgment by
16 personal service or otherwise are permanently restrained and enjoined from violating
17 Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)] in the offer or sale of any
18 security by the use of any means or instruments of transportation or communication
19 in interstate commerce or by use of the mails, directly or indirectly:

- 20 (a) to employ any device, scheme, or artifice to defraud;
- 21 (b) to obtain money or property by means of any untrue statement of a
22 material factor any omission of a material fact necessary in order to make the
23 statements made, in light of the circumstances under which they were made,
24 not misleading; or
- 25 (c) to engage in any transaction, practice, or course of business which
26 operates or would operate as a fraud or deceit upon the purchaser.

27 III.

28 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant,

1 Defendant's agents, servants, employees, attorneys, assigns, and all persons in active
2 concert or participation with them who receive actual notice of this Final Judgment by
3 personal service or otherwise are permanently restrained and enjoined from violating
4 Section 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the
5 absence of any applicable exemption:

- 6 (a) Unless a registration statement is in effect as to a security, making use of
7 any means or instruments of transportation or communication in interstate
8 commerce or of the mails to sell such security through the use or medium
9 of any prospectus or otherwise;
- 10 (b) Unless a registration statement is in effect as to a security, carrying or
11 causing to be carried through the mails or in interstate commerce, by any
12 means or instruments of transportation, any such security for the purpose
13 of sale or for delivery after sale; or
- 14 (c) Making use of any means or instruments of transportation or
15 communication in interstate commerce or of the mails to offer to sell or
16 offer to buy through the use or medium of any prospectus or otherwise
17 any security, unless a registration statement has been filed with the
18 Commission as to such security, or while the registration statement is the
19 subject of a refusal order or stop order or (prior to the effective date of
20 the registration statement) any public proceeding of examination under
21 Section 8 of the Securities Act [15 U.S.C. § 77h].

22 IV.

23 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that based on
24 Defendant's sworn representations in his Statements of Financial Condition dated
25 April 4, 2002 and October 10, 2002, and other documents and information submitted
26 to the Commission, the Court is not ordering Defendant to pay a civil penalty and
27 payment of all of the disgorgement and pre-judgment interest thereon is waived. The
28 determination not to impose a civil penalty and to waive payment of the disgorgement

1 and pre-judgment interest is contingent upon the accuracy and completeness of
2 Defendant's Statements of Financial Condition. If at any time following the entry of
3 this Final Judgment the Commission obtains information indicating that Defendant's
4 representations to the Commission concerning his assets, income, liabilities, or net
5 worth were fraudulent, misleading, inaccurate, or incomplete in any material respect as
6 of the time such representations were made, the Commission may, at its sole discretion
7 and without prior notice to Defendant, petition the Court for an order requiring
8 Defendant to pay the unpaid portion of the disgorgement, pre-judgment and post-
9 judgment interest thereon, and the maximum civil penalty allowable under the law. In
10 connection with any such petition, the only issue shall be whether the financial
11 information provided by Defendant was fraudulent, misleading, inaccurate, or
12 incomplete in any material respect as of the time such representations were made. In
13 its petition, the Commission may move this Court to consider all available remedies,
14 including, but not limited to, ordering Defendant to pay funds or assets, directing the
15 forfeiture of any assets, or sanctions for contempt of this Final Judgment. The
16 Commission may also request additional discovery. Defendant may not, by way of
17 defense to such petition: (1) challenge the validity of this Consent or the Final
18 Judgment; (2) contest the allegations in the Complaint filed by the Commission; (3)
19 assert that payment of disgorgement, pre-judgment and post-judgment interest or a
20 civil penalty should not be ordered; (4) contest the amount of disgorgement and pre-
21 judgment and post-judgment interest; (5) contest the imposition of the maximum civil
22 penalty allowable under the law; or (6) assert any defense to liability or remedy,
23 including, but not limited to, any statute of limitations defense.

24 V.

25 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant,
26 be and hereby is permanently barred, pursuant to Section 20(e) of the Securities Act
27 [15 U.S.C. §77t(e)] and Section 21(d)(2) of the Exchange Act [15 U.S.C. §78u(d)(2)]
28 from serving as an officer or director of any issuer that has a class of securities

1 registered with the Commission pursuant to Section 12 of the Exchange Act [15
2 U.S.C. §78I], or that is required to file reports with the Commission pursuant to
3 Section 15(d) of the Exchange Act [15 U.S.C. §78o(d)].

4 VI.

5 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant,
6 Defendant's agents, servants, employees, attorneys, assigns, and all persons in active
7 concert or participation with them who receive actual notice of this Final Judgment by
8 personal service or otherwise are permanently restrained and enjoined from making use
9 of the mails or any means or instrumentality of interstate commerce to effect any
10 transactions in, or to induce or attempt to induce the purchase or sale of, any security,
11 without being registered as a broker and/or dealer pursuant to Section 15(b) of the
12 Exchange Act, 15 U.S.C. § 78o(b), in violation of Section 15(a)(1) of the Exchange
13 Act, 15 U.S.C. § 78o(a)(1).

14 VII.

15 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
16 shall return 1,050,000 shares of North American Medical Products, Inc. ("NAMP")
17 stock to NAMP, by and through NAMP's counsel of record in this matter, within five
18 business days of the entry of this Final Judgment by this Court for purposes of such
19 shares being canceled by NAMP, with prompt notice to the Commission of such
20 return.

21 VIII.

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
23 agrees in connection with this action and any related judicial or administrative
24 proceeding or investigation commenced by the Commission or other federal, state or
25 local law enforcement, or to which the Commission or other federal, state, or local law
26 enforcement is a party, Defendant (a) will provide interviews and documents at the
27 request of the Commission staff; (b) agrees to provide management and employees
28 to testify in related judicial or administrative proceedings or investigations commenced

1 by the Commission or other federal, state, or local law enforcement on a travel cost
2 reimbursable basis as provided for by applicable federal regulations; (c) will accept
3 service by mail or facsimile transmission of subpoenas for documents or testimony
4 at depositions, hearings, or trials; (d) waives the territorial limits on service contained
5 in Rule 45 of the Federal Rules of Civil Procedure or applicable local rules for such
6 subpoenas; and (e) appoints its undersigned counsel as agent to receive such service.

7 IX.

8 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent
9 is incorporated herein with the same force and effect as if fully set forth herein, and
10 that Defendant shall comply with all of the undertakings and agreements set forth
11 therein.

12 X.

13 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
14 shall retain jurisdiction of this matter for the purposes of enforcing the terms of the
15 Consent and this Final Judgment.

16 XI.

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

20 Dated: MAR 17 2003, _____

21 *Richard A. Stahl*
22 UNITED STATES DISTRICT JUDGE
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NOTICE PARTY SERVICE LIST

Case No. SA CV 03-250-AHS(AH) Case Title SEC v. North American Medical, etc, et al.
 Title of Document Final Judgment of Perm Injunction Re Det. Niko G. Efsthion

Atty Sttlmnt Officer
BAP (Bankruptcy Appellate Panel)
Beck, Michael J (Clerk, MDL Panel)
BOP (Bureau of Prisons)
Calderon, Arthur - Warden, San Quentin
CAAG (California Attorney General's Office - Keith H. Borjon, L.A. Death Penalty Coordinator)
CA St Pub Defender (Calif. State PD)
Case Asgmt Admin (Case Assignment Administrator)
Catterson, Cathy (9 th Circuit Court of Appeal)
Chief Deputy Adm
Chief Deputy Ops
Clerk of Court
Death Penalty H/C (Law Clerks)
Dep In Chg E Div
Dep In Chg So Div
<input checked="" type="checkbox"/> Fiscal Section
Intake Supervisor
Interpreter Section
PIA Clerk - Los Angeles (PIALA)
PIA Clerk - Santa Ana (PIASA)
PIA Clerk - Riverside (PIAED)
PSA - Los Angeles (PSALA)
PSA - Santa Ana (PSASA)
PSA - Riverside (PSAED)
Schnack, Randall (CJA Supervising Attorney)
Statistics Clerk
Stratton, Maria - Federal Public Defender

US Attorneys Office - Civil Division -L.A.
US Attorneys Office - Civil Division - S.A.
US Attorneys Office - Criminal Division -L.A.
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JUDGE / MAGISTRATE JUDGE (list below):

Initials of Deputy Clerk *[Signature]*