

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division
Case Number: 03-61747-CIV-MARTINEZ-BROWN

SECURITIES AND EXCHANGE
COMMISSION,
Plaintiff,

vs.

JAMES MULHEARN, DAMIAN
DELGADO, and ADRIAN BALBOA,
Defendants.

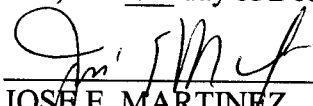
**ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS MONETARY CLAIMS
AGAINST ALL DEFENDANTS**

THIS MATTER comes before the Court on Plaintiff Securities and Exchange Commission's Motion to Dismiss Monetary Claims Against All Defendants (D.E. No. 23). Having reviewed the motion and record, and being fully advised in the premises, accordingly, it is:

ORDERED AND ADJUDGED that

Plaintiff Securities and Exchange Commission's Motion to Dismiss Monetary Claims Against All Defendants (D.E. No. 23) is **GRANTED**. Pursuant to Federal Rule of Civil Procedure 41(a), the Commission's claims for disgorgement, prejudgment interest and civil penalties against James Mulhearn, Damian Delgado and Adrian Balboa are hereby dismissed.

DONE AND ORDERED in Chambers at Miami, Florida, this 19 day of December, 2008.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
All Counsel of Record