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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF ARIZONA**

11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 v.

14 SECURITY TRUST COMPANY, N.A.,
15 et al.,

16 Defendants.

Case No. CV-03-2323-PHX-JWS

**PLAINTIFF SECURITIES AND
EXCHANGE COMMISSION'S
WITHDRAWAL OF PRAYER
FOR DISGORGEMENT,
PREJUDGMENT INTEREST
AND CIVIL PENALTIES
AGAINST DEFENDANT
NICOLE MCDERMOTT**

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18 Plaintiff Securities and Exchange Commission (the "Commission") and
19 Defendant Nicole McDermott have agreed to settle the remaining issues in this
20 litigation. The Commission therefore withdraws its request for disgorgement,
21 prejudgment interest, and civil penalties against Defendant McDermott, which
22 relief the Commission requested in the Prayer for Relief in the Complaint for
23 Violations of the Federal Securities Laws that it filed on November 25, 2003.
24 Because the Court entered judgment against McDermott on February 23, 2004,

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1 ordering all other relief that the Commission sought against Defendant McDermott,
2 the case against Defendant McDermott is fully resolved.

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4 DATED: October 6, 2006

/s/ Molly M. White

MOLLY M. WHITE
JOHN B. BULGOZDY
Attorneys for Plaintiff
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.

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On October 6, 2006, I served the document entitled **PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S WITHDRAWAL OF PRAYER FOR DISGORGEMENT, PREJUDGMENT INTEREST AND CIVIL PENALTIES AGAINST DEFENDANT NICOLE MCDERMOTT** 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.

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.

ELECTRONIC MAIL: By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

(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: October 6, 2006

/s/ Magnolia M. Marcelo
MAGNOLIA M. MARCELO

SEC v. Security Trust Company, et al.
United States District Court - District of Arizona
Case No. CV 03-2323 PHX JWS
(LA-2781)

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