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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF ARIZONA

5 SECURITIES AND EXCHANGE  
6 COMMISSION,

7 Plaintiff,

8 v.

9 SECURITY TRUST COMPANY, N.A.,  
10 et al.,

11 Defendants.

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

**FINAL JUDGMENT OF  
PERMANENT INJUNCTION  
AND OTHER RELIEF AGAINST  
GRANT D. SEEGER**

12 The Securities and Exchange Commission (“Commission”) having filed a  
13 Complaint and Grant D. Seeger (“Seeger”) having entered a general appearance;  
14 consented to the Court’s jurisdiction over him and the subject matter of this action;  
15 consented to entry of this Final Judgment without admitting or denying the  
16 allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
17 conclusions of law; and waived any right to appeal from this Final Judgment:

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19 I.

20 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Seeger  
21 and his agents, servants, employees, attorneys, and all persons in active concert or  
22 participation with them who receive actual notice of this Final Judgment by  
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1 personal service or otherwise are permanently restrained and enjoined from  
2 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of  
3 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated  
4 thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of  
5 interstate commerce, or of the mails, or of any facility of any national securities  
6 exchange, in connection with the purchase or sale of any security:

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

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14 II.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Seeger  
16 and his agents, servants, employees, attorneys, and all persons in active concert or  
17 participation with them who receive actual notice of this Final Judgment by  
18 personal service or otherwise are permanently restrained and enjoined from  
19 violating Section 17(a) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C.  
20 § 77q(a), in the offer or sale of any security by the use of any means or instruments  
21 of transportation or communication in interstate commerce or by use of the mails,  
22 directly or indirectly:

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

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Seeger  
6 and his agents, servants, employees, attorneys, and all persons in active concert or  
7 participation with them who receive actual notice of this Final Judgment by  
8 personal service or otherwise are permanently restrained and enjoined from  
9 violating Section 37 of the Investment Company Act, 15 U.S.C. § 80a-36, by,  
10 directly or indirectly stealing, unlawfully abstracting, unlawfully and willfully  
11 converting to his own use or to the use of another, or embezzling the moneys,  
12 funds, securities, credits, property, or assets of a registered investment company.  
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14 IV.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Seeger is  
16 liable for total disgorgement of \$175,877, representing profits gained as a result of  
17 the conduct alleged in the Complaint. Seeger has paid \$50,000 in disgorgement,  
18 and is therefore liable for the remaining \$125,877, together with prejudgment  
19 interest thereon in the amount of \$17,976.63, for a total of \$143,853.63, and a civil  
20 penalty in the amount of \$120,000, pursuant to Section 20(d) of the Securities Act,  
21 15 U.S.C. § 77t(d), Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3),  
22 and Section 42(e) of the Investment Company Act, 15 U.S.C. § 80a-41(e). Seeger  
23 shall satisfy his remaining obligation of \$263,853.62, as follows: 1) Seeger shall  
24 pay \$50,000 within 10 days of entry of Final Judgment; 2) Seeger shall pay another  
25 \$50,000, plus post-judgment interest thereon calculated pursuant to 28 U.S.C. §  
26 1961, by October 1, 2008; and 3) Seeger shall pay the remaining balance of  
27 \$163,853.63, plus post-judgment interest thereon calculated pursuant to 28 U.S.C.  
28 § 1961, by June 1, 2010. Seeger pledges as collateral his ownership interest in

1 Seeger Entertainment Group LLP until this Final Judgment is paid in full. If  
2 Seeger fails to make any payment according to the payment plan set forth above in  
3 this paragraph, the payment plan shall become null and void, and all amounts due  
4 under the Final Judgment minus any payments made shall become due and payable  
5 immediately. Each payment shall be made by certified check, bank cashier's  
6 check, or United States postal money order payable to the Securities and Exchange  
7 Commission. The payment shall be delivered or mailed to the Office of Financial  
8 Management, Securities and Exchange Commission, Operations, Center, 6432  
9 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be  
10 accompanied by a letter identifying Seeger as a defendant in this action; setting  
11 forth the title and civil action number of this action and the name of this Court and  
12 specifying that payment is made pursuant to this Final Judgment. Seeger shall  
13 simultaneously transmit photocopies of each such payment and letter to the  
14 Commission's counsel in this action. Seeger shall pay post-judgment interest on  
15 any delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission shall  
16 remit the funds paid pursuant to this paragraph to the United States Treasury.

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18 V.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
20 Consent is incorporated herein with the same force and effect as if fully set forth  
21 herein, and that Seeger shall comply with all of the undertakings and agreements  
22 set forth therein.

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24 VI.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this  
26 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms  
27 of this Final Judgment.

VII.

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

Dated: August 5, 2008

/s/  
HONORABLE JOHN W. SEDWICK  
UNITED STATES DISTRICT JUDGE

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