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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

SECURITIES AND EXCHANGE COMMISSION,

Case No. C04-0322-JLR

*Plaintiff,*

v.

AMENDED FINAL JUDGMENT AND  
PERMANENT INJUNCTION

SUHEIL M. JUDEH,

*Defendant.*

On August 29, 2004, the Clerk of the Court entered a default against defendant Suheil M. Judeh (“Judeh” or “Defendant”) who, having been served with the summons and complaint in this matter, failed to file a timely answer or otherwise make an appearance. On March 10, 2005, plaintiff Securities and Exchange Commission (“Commission”) moved the Court for entry of a final judgment of default against Judeh (“Final Judgment”). Having considered the Commission’s submission in support of the motion, and such other papers on file with the Court in this matter as the Court deemed relevant, and the Court being fully advised in the premises, the Commission’s motion is GRANTED, and the following relief is ORDERED:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Judeh and his agents, servants, employees, attorneys, and all persons in active concert or participation with him who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (“Securities Final Judgment - 1

1 Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or  
2 instruments of transportation or communication in interstate commerce or by use of the mails,  
3 directly or indirectly:

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

10 II.

11 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Judeh and  
12 his agents, servants, employees, attorneys, and all persons in active concert or participation with  
13 him who receive actual notice of this Final Judgment by personal service or otherwise are  
14 permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the  
15 Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5  
16 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of  
17 interstate commerce, or of the mails, or of any facility of any national securities exchange, in  
18 connection with the purchase or sale of any security:

- 19 (a) to employ any device, scheme, or artifice to defraud;
- 20 (b) to make any untrue statement of a material fact or to omit to state a material fact  
21 necessary in order to make the statements made, in the light of the circumstances  
22 under which they were made, not misleading; or
- 23 (c) to engage in any act, practice, or course of business which operates or would  
24 operate as a fraud or deceit upon any person.
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## III.

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2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Judeh is  
3 liable for disgorgement of \$114,121.00, representing profits gained as a result of the conduct  
4 alleged in the Commission's complaint, together with prejudgment interest thereon in the amount  
5 of \$2,079.49, for a total of \$116,200.49. Judeh shall satisfy this obligation by paying the full  
6 amount within thirty (30) business days to the Clerk of this Court, together with a cover letter  
7 identifying Judeh as a defendant in this action; setting forth the title and civil action number of this  
8 action and the name of this Court; and specifying that payment is made pursuant to this Final  
9 Judgment. Judeh shall simultaneously transmit photocopies of such payment and letter to the  
10 attention of Helane L. Morrison, District Administrator, at the Commission's San Francisco  
11 District Office, 44 Montgomery Street, Suite 1100, San Francisco, CA 94104. By making this  
12 payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds, and  
13 no part of the funds shall be returned to Defendant. The Clerk shall deposit the funds into an  
14 interest bearing account with the Bank of America Court On-Line Banking System. These funds,  
15 together with any interest and income earned thereon (collectively, the "Fund"), shall be held by  
16 the Bank of America until further order of the Court. In accordance with 28 U.S.C. § 1914 and  
17 the guidelines set by the Director of the Administrative Office of the United States Courts, the  
18 Clerk is directed, without further order of this Court, to deduct from the income earned on the  
19 money in the Fund a fee equal to ten percent of the income earned on the Fund. Such fee shall  
20 not exceed that authorized by the Judicial Conference of the United States. The Commission may  
21 propose a plan to distribute the Fund subject to the Court's approval. Defendant shall pay post-  
22 judgment interest on any delinquent amounts pursuant to 28 USC § 1961.

## IV.

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24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Judeh shall pay a civil  
25 penalty in the amount of \$120,000 pursuant to Section 20(d)(2) of the Securities Act [15 U.S.C.  
26 § 77t(d)(2)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Judeh shall  
27 make this payment within thirty (30) business days after entry of this Final Judgment by certified  
28 check, bank cashier's check, or United States postal money order payable to the Securities and

1 Exchange Commission. The payment shall be delivered or mailed to the Office of Financial  
2 Management, Securities and Exchange Commission, Operations Center, 6432 General Green  
3 Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying  
4 Judeh as a defendant in this action; setting forth the title and civil action number of this action and  
5 the name of this Court; and specifying that payment is made pursuant to this Final Judgment.  
6 Defendant shall simultaneously transmit photocopies of such payment and letter to the attention  
7 of Helane Morrison, District Administrator, at the Commission's San Francisco District Office, 44  
8 Montgomery Street, Suite 1100, San Francisco, CA 94104. Defendant shall pay post-judgment  
9 interest on any delinquent amounts pursuant to 28 USC § 1961.

10 V.

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

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14 Dated: this 24th day of March, 2005.

15 s/James L. Robart

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18 JAMES L. ROBART  
19 United States District Court Judge  
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