

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 04-60804-CIV-JORDAN

SECURITIES AND EXCHANGE)
COMMISSION,)
Plaintiff)
vs.)
HELVETIA PHARMACEUTICALS, INC., et al.,)
Defendants)
_____)

FINAL JUDGMENT AGAINST MR. DEAN

Summary judgment was granted in favor of the SEC and against Laurence Dean on October 13, 2010. Pursuant to Federal Rules of Civil Procedure 54 and 58, final judgment is entered as follows in favor of the SEC and against Mr. Dean.

I. § 17(A) OF THE SECURITIES ACT

It is ordered and adjudged that Mr. Dean, his officers, agents, servants, representatives, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently enjoined from violating Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a),¹ in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

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

¹ I make no pronouncement by entering this requested injunction that the provisions requiring Mr. Dean to obey the law are enforceable. *See S.E.C. v. Smyth*, 420 F.3d 1225, 1233 n.14 (11th Cir. 2005) (noting in dicta that an injunction prohibiting violation of securities laws is unenforceable). *But see CFTC v. Wilshire Inv. Mng't Corp.*, 531 F.3d 1339, 1343-44 n.1 (11th Cir. 2008) (stating in dicta that injunctions prohibiting violations of securities law are enforceable).

II. § 10(B) AND RULE 10B-5 OF THE EXCHANGE ACT

It is further ordered and adjudged that Mr. Dean, his officers, agents, servants, representatives, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) and Rule 10b-5 of the Exchange Act, 15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5, by using any means or instrumentality of interstate commerce, or the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

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

III. PENNY STOCK BAR

It is further ordered and adjudged that Mr. Dean is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 under the Exchange Act, 17 C.F.R. § 240.3a51-1.

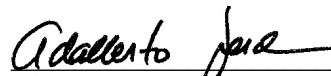
IV. DISGORGEMENT AND CIVIL PENALTY

It is further ordered and adjudged that the Commission's claims for disgorgement and a civil penalty against Mr. Dean are dismissed pursuant to the SEC's voluntary dismissal of these claims [D.E. 89].

V. RETENTION OF JURISDICTION

It is further ordered and adjudged that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

DONE and ORDERED in chambers in Miami, Florida, this 14th day of October, 2010.


Adalberto Jordan
United States District Judge

Copy to:
Magistrate Judge McAliley

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