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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS**

**UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,**

**Plaintiff,**

v.

**THOMAS E. EDGAR,**

**Defendant.**

Case No. 05-2009

**FINAL JUDGMENT**

The United States Securities and Exchange Commission ("Plaintiff" or "Commission") having filed a Complaint and Defendant Thomas E. Edgar ("Defendant") having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; waived the filing of an Answer to the Plaintiff's Complaint; and waived any right to appeal from this Final Judgment:

**I.**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Defendant, Defendant's agents, servants, employees, attorneys, assigns, 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 17(a) of the Securities Act of 1933 [15 U.S.C. § 77q(a)], 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:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of material fact or any omission to state 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 as or would operate as a fraud or deceit upon the purchaser.

**II.**

**IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED THAT** Defendant, Defendant's agents, servants, employees, attorneys, assigns, 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 9(a)(2) of the Securities Exchange Act of 1934 [15 U.S.C. § 78(i)(a)(2)], by the use of the mails or any means or instrumentality of interstate commerce, or of any facility of any national securities exchange to effect, alone or with one or more other persons, a series of transactions in any security registered on a national securities exchange with respect to such

security creating actual or apparent active trading in such security, or raising or depressing the price of such security, for the purpose of inducing the purchase or sale of such security by others.

**III.**

**IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED THAT**

Defendant, Defendant's agents, servants, employees, attorneys, assigns, 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) Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of 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.

**IV.**

**IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that**

Defendant shall pay a civil penalty in the amount of \$35,000 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77(t)(d)] and Section 21(d) of the Exchange Act [15 U.S.C. § 78u(d)].

Defendant shall make this payment within seven (7) business days after entry of this Final

Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Thomas E. Edgar as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant shall also simultaneously transmit photocopies of such payment and letter to Daniel Gregus, Assistant Regional Director, U.S. Securities and Exchange Commission, Midwest Regional Office, 175 W. Jackson Blvd., Suite 900, Chicago, IL 60604.

**V.**

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

**VI.**

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

Dated: February 2, 2005

s/ Harold A. Baker

UNITED STATES DISTRICT COURT JUDGE