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## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

05 Civ. 6991 (KMW)

SONJA ANTICEVIC, DAVID PAJCIN, EUGENE PLOTKIN, STANISLAV SHPIGELMAN, NICKOLAUS SHUSTER, JUAN C. PENTERIA, JR., HENRY SIEGEL, ELVIS SANTANA, MONIKA VUJOVIC, MIKHAIL PLOTKIN, PERICA LOPANDIC, BRUNO VERINAC, ZORAN SORMAZ, ILIJA BORAC, ANTUN DILBER, ANTO KRSIC, and JASON C. SMITH,

Defendants.

## FINAL JUDGMENT AS TO DEFENDANT SONJA ANTICEVIC

The Securities and Exchange Commission ("Commission") having filed a Fourth Amended Complaint ("Complaint") and Defendant Sonja Anticevic ("Defendant" or "Anticevic") having entered a general appearance; consented to the Court's jurisdiction over her 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, which allegations are admitted); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$2,056,055.15, representing profits gained as a result of the conduct alleged in the Complaint, together with pre-judgment interest thereon in the amount of \$772,263.03. In satisfaction of this obligation in full, Anticevic has renounced

any and all claims to the amount of \$2,828,318.18 that was transferred from an account held in her name at Penson Financial Services to an interest bearing account with the Court Registry Investment System (the "CRIS Funds") on December 17, 2009, and, accordingly, Anticevic no longer retains any interest in the CRIS Funds.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the annexed 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.

III.

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.

IV.

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.

## **CONSENT OF DEFENDANT SONJA ANTICEVIC**

- 1. Defendant Sonja Anticevic ("Defendant") acknowledges having been served with the Fourth Amended Complaint ("Complaint") in this action, enters a general appearance, and admits the Court's jurisdiction over her and over the subject matter of this action.
- 2. Without admitting or denying the allegations of the Complaint (except as to personal and subject matter jurisdiction, which allegations Defendant admits),

  Defendant hereby consents to the entry of the final Judgment in the form annexed hereto (the "Final Judgment") and incorporated by reference herein, which, among other things orders Defendant to pay disgorgement in the amount of \$2,056,055.15 and pre-judgment interest in the amount of \$772,263.03, which obligation is deemed satisfied in full by Defendant's renunciation of any and all claims to the sum of \$2,828,318.18 that was transferred from an account held in Anticevic's name at Penson Financial Services to an interest bearing account with the Court Registry Investment System (the "Penson Funds") on December 17, 2009, as set forth below.
- 3. By execution of this Consent, Defendant hereby renounces any and all claims to the Penson Funds.
- 4. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.
- 5. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Final Judgment.

- 6. Defendant enters into this Consent voluntarily and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Defendant to enter into this Consent.
- Defendant agrees that this Consent shall be incorporated into the Final
   Judgment with the same force and effect as if fully set forth therein.
- 8. Defendant will not oppose the enforcement of the Final Judgment on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.
- 9. Defendant waives service of the Final Judgment and agrees that entry of the Final Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions.
- 10. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted against Defendant in this civil proceeding. Defendant acknowledges that no promise or representation has been made by the Commission or any member, officer, employee, agent, or representative of the Commission with regard to any criminal liability that may have arisen or may arise from the facts underlying this action or immunity from any such criminal liability. Defendant waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein.
- 11. Defendant understands and agrees to comply with the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that

imposes a sanction while denying the allegation in the complaint or order for proceedings." 17 C.F.R. 202.5. In compliance with this policy, Defendant agrees:

(i) not to take any action or to make or permit to be made any public statement denying, directly or indirectly, any allegation in the Complaint or creating the impression that the Complaint is without factual basis; and (ii) that upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the Complaint. If Defendant breaches this agreement, the Commission may petition the Court to vacate the Final Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant's: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.

- 12. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.
- 13. Defendant agrees that the Commission may present the Final Judgment to the Court for signature and entry without further notice.

14. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Final Judgment.

Dated: <u>Q. O.</u>, 2010

(Actional Swyll Sonja Anticevic

Approved as to form:

ODVJETNK

ANTE MADUNIC

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Dated: New York, New York