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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 SECURITIES AND EXCHANGE COMMISSION,  
12 Plaintiff,  
13 vs.  
14 DAVID M. PILLOR,  
15 Defendant.

Case No. 3:06-CV-4906  
FINAL JUDGMENT

16  
17 The Securities and Exchange Commission, having filed a Complaint, and Defendant  
18 David M. Pillor (“Defendant”) having entered a Consent to Entry of Final Judgment (“Consent”),  
19 in which he entered a general appearance; consented to the Court’s jurisdiction over Defendant  
20 and the subject matter of this action; consented to entry of this Final Judgment without admitting  
21 or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
22 conclusions of law; and waived any right to appeal from this Final Judgment:

23 I.

24 IT IS ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant’s  
25 agents, servants, employees, attorneys, and all persons in active concert or participation with them  
26 who receive actual notice of this Final Judgment by personal service or otherwise are  
27 permanently restrained and enjoined from violating Rule 13b2-1 promulgated under the Securities  
28 Exchange Act of 1934 (the “Exchange Act”) [17 C.F.R. § 240.13b2-1], by directly or indirectly

1 falsifying or causing to be falsified any book, record, or account subject to Section 13(b)(2)(A) of  
2 the Exchange Act [15 U.S.C. § 78m(b)(2)(A)].

3 II.

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant  
5 and Defendant's agents, servants, employees, attorneys, and all persons in active concert or  
6 participation with them who receive actual notice of this Final Judgment by personal service or  
7 otherwise are permanently restrained and enjoined from aiding and abetting any violation of  
8 Section 13(b)(2)(B) of the Exchange Act [15 U.S.C. § 78m(b)(2)(B)] by knowingly providing  
9 substantial assistance to an issuer that fails to devise and maintain a system of internal accounting  
10 controls sufficient to provide reasonable assurances that—

- 11 (i) transactions are executed in accordance with management's general or  
12 specific authorization;
- 13 (ii) transactions are recorded as necessary (I) to permit preparation of financial  
14 statements in conformity with generally accepted accounting principles or  
15 other criteria applicable to such statements, and (II) to maintain  
16 accountability for assets;
- 17 (iii) access to assets is permitted only in accordance with management's general  
18 or specific authorization; and
- 19 (iv) the recorded accountability for assets is compared with the existing assets  
20 at reasonable intervals and appropriate action is taken with respect to  
21 differences.

22 III.

23 IT IS ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil  
24 penalty in the amount of \$65,000.00 pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C.  
25 § 78u(d)(3)]. Defendant shall make this payment within ten (10) business days after entry of this  
26 Final Judgment by certified check, bank cashier's check, or United States postal money order  
27 payable to the Securities and Exchange Commission. The payment shall be delivered or mailed  
28

1 to the Office of Financial Management, Securities and Exchange Commission, Operations Center,  
2 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied  
3 by a letter identifying David M. Pillor as a defendant in this action; setting forth the title and civil  
4 action number of this action and the name of this Court; and specifying that payment is made  
5 pursuant to this Final Judgment. A copy of the cover letter and money order or check shall be  
6 sent to Helane L. Morrison, District Administrator, San Francisco District Office, United States  
7 Securities and Exchange Commission, 44 Montgomery Street, Suite 2600, San Francisco,  
8 California 94104. Defendant shall pay post-judgment interest on any delinquent amounts  
9 pursuant to 28 U.S.C. § 1961.

10 IV.

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

14 V.

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

18  
19  
20 Dated: September 20, 2006

