

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
Tampa Division

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

Case No. 8:08-cv-993-T-27MAP

GLOBAL DEVELOPMENT &  
ENVIRONMENTAL RESOURCES, INC.,  
PHILIP PRITCHARD, PIETRO CIMINO,  
DANTE M. PANELLA,  
DARKO S. MRAKUZIC,  
ANTHONY M. CIMINI, SR.,  
AND CARMINE J. BUA,

Defendants,

QUANTUMVEST HOLDINGS, LTD.,

Relief Defendant.

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**FINAL JUDGMENT AS TO DEFENDANT CARMINE J. BUA**

The Securities and Exchange Commission having filed a Complaint, and Defendant Carmine J. Bua having: already consented to the entry of the Judgment of Permanent Injunction And Other Relief As To Defendant Carmine J. Bua, which this Court entered on May 28, 2008 (D.E. 5); consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to personal and subject matter jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

**DISGORGEMENT AND CIVIL PENALTY**

**IT IS ORDERED AND ADJUDGED** that Bua is liable for disgorgement of \$3,820,

representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$284, and a civil penalty in the amount of \$40,000 pursuant to Section 20(d) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78u(d)(3)]. Bua shall satisfy this obligation by paying \$44,104 within ten business days to the Clerk of this Court, together with a cover letter identifying Carmine J. Bua 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. Bua shall simultaneously transmit photocopies of such payment and letter to Brian K. Barry, Esq., Securities and Exchange Commission, 801 Brickell Avenue, Suite 1800, Miami, FL 33131. By making this payment, Bua relinquishes all legal and equitable right, title, and interest in such funds, and no part of the funds shall be returned to him. Bua shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

The Clerk shall deposit the funds into an interest bearing account with the Court Registry Investment System ("CRIS") or any other type of interest bearing account that is utilized by the Court. These funds, together with any interest and income earned thereon (collectively, the "Fund"), shall be held in the interest bearing account until further order of the Court. In accordance with 28 U.S.C. § 1914 and the guidelines set by the Director of the Administrative Office of the United States Courts, the Clerk is directed, without further order of this Court, to deduct from the income earned on the money in the Fund a fee equal to ten percent of the income earned on the Fund. Such fee shall not exceed that authorized by the Judicial Conference of the United States.

The Commission may by motion propose a plan to distribute the Fund subject to the Court's approval. Such a plan may provide that the Fund shall be distributed pursuant to the Fair Fund

provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. Regardless of whether any such Fair Fund distribution is made, amounts ordered to be paid as civil penalties pursuant to this Final Judgment shall be treated as penalties paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Bua shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Bua's payment of disgorgement in this action, argue that he is entitled to, nor shall he further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Bua's payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Bua shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Final Judgment. For purposes of this paragraph, a "Related Investor Action" means a private damages action brought against Bua by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

Bua shall not seek or accept, directly or indirectly, reimbursement or indemnification from any source, including but not limited to payment made pursuant to any insurance policy, with regard to any civil penalty amounts that Bua pays pursuant to the Final Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors. Bua shall not claim, assert, or apply for a tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts that Bua pays pursuant to the Final Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution

fund or otherwise used for the benefit of investors.

**II.**

**PENNY STOCK BAR**

**IT IS FURTHER ORDERED AND ADJUDGED** that Bua 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.

**III.**

**INCORPORATION OF CONSENT**

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

**IV.**

**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.

V.

**RULE 54(b) CERTIFICATION**

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.

Dated: September 30<sup>th</sup>, 2008

  
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The Honorable James D. Whittmore  
UNITED STATES DISTRICT JUDGE