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RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

HRL

15 SECURITIES AND EXCHANGE COMMISSION,  
16 Plaintiff,  
17 vs.  
18 SAMIR I. ABED and ELIAS J. ANTOUN,  
19 Defendants.

Case No. 08

4549

[PROPOSED] FINAL JUDGMENT AS TO  
DEFENDANT ELIAS J. ANTOUN

20 The Securities and Exchange Commission having filed a Complaint and Defendant Elias J.  
21 Antoun ("Defendant") having entered a general appearance; consented to the Court's jurisdiction  
22 over Defendant and the subject matter of this action; consented to entry of this Final Judgment  
23 without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived  
24 findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

25 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant and  
26 Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation  
27 with them who receive actual notice of this Final Judgment by personal service or otherwise are  
28 permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the  
Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated

[PROPOSED] FINAL JUDGMENT AS TO  
DEFENDANT ELIAS J. ANTOUN

1 thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or  
2 of the mails, or of any facility of any national securities exchange, in connection with the purchase or  
3 sale of any security:

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

10 II.

11 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is  
12 liable for disgorgement of \$36,210.00, representing profits gained as a result of the conduct alleged in  
13 the Complaint, together with prejudgment interest thereon in the amount of \$1,089.42, and a civil  
14 penalty in the amount of \$36,210.00 pursuant to Section 21A(a)(1) of the Exchange Act [15 U.S.C. §  
15 78u-1(a)(1)(A)], for a total of \$73,509.42. Defendant shall satisfy this obligation by paying  
16 \$73,509.42 within ten (10) business days after entry of this Final Judgment by certified check, bank  
17 cashier's check, or United States postal money order payable to the Securities and Exchange  
18 Commission. The payment shall be delivered or mailed to the Office of Financial Management,  
19 Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3,  
20 Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Elias J. Antoun as a  
21 defendant in this action; setting forth the title and civil action number of this action and the name of  
22 this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant shall  
23 simultaneously transmit photocopies of such payment and letter to the attention of Marc J. Fagel,  
24 Regional Director, at the Commission's San Francisco Regional Office, 44 Montgomery Street, Suite  
25 2600, San Francisco, California 94104. Defendant shall pay post-judgment interest on any  
26 delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant  
27 to this paragraph to the United States Treasury.

28

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendant Elias J. Antoun to Entry of Final Judgment 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.

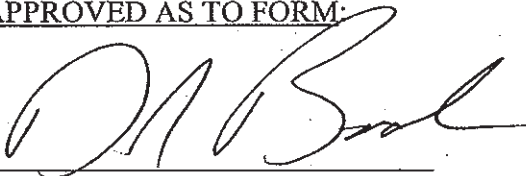
IV.

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: 10/29, 2008

  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:



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SUBMITTED BY:



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