

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**MILLENNIUM BANK, et al.,**

**Defendant.**

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**Civil Action No. 7:09-cv-00050-O**

**ORDER**

Before the Court is Plaintiff's Agreed Motion to Enter Agreed Final Judgment as to Defendant Kristi Hoegel (ECF No. 302), filed February 16, 2016. Defendant Kristi Hoegel ("Defendant") entered a general appearance, consented to the Court's jurisdiction over her and the subject matter of this action, consented to the entry of this Agreed Final Judgment ("Judgment") without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment. Having considered the agreed motion, the Court finds it is well-taken and should be and is hereby **GRANTED**. Accordingly:

I.

It is **ORDERED, ADJUDGED and DECREED** that Defendant, her agents, servants, employees, attorneys, and all other persons in active concert or participation with her, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C. §77q(a)],

directly or indirectly, in the offer or sale of a security, by making 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 a material fact or any omission 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; and/or
- C. to engage in any transaction, practice or course of business which operates or would operate as a fraud or deceit upon any purchaser.

II.

It is **FURTHER ORDERED, ADJUDGED, and DECREED** that Defendant, her agents, servants, employees, attorneys, and all other persons in active concert or participation with her, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Section violating Sections 5(a) and 5(c) of the Securities Act [15 U.S.C. §§ 77e(a) and 77e(c)] directly or indirectly, in the absence of any applicable exemption:

- A. Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise; or
- B. Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through

the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

III.

It is **FURTHER ORDERED, ADJUDGED, and DECREED** that Defendant, her agents, servants, employees, attorneys, and all other persons in active concert or participation with her, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Section 10(b) of the Exchange Act and Rule 10b-5 thereunder [15 U.S.C. §78j(b) and 17 C.F. R. §240.10b-5], directly or indirectly, in connection with the purchase or sale of a security, by making use of any means or instrumentality of interstate commerce, of the mails or of any facility of any national securities exchange:

- A. to use or employ any manipulative or deceptive device or contrivance;
- B. to employ any device, scheme or artifice to defraud;
- C. to make any untrue statement of a material fact or 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; and/or
- D. 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 **FURTHER ORDERED, ADJUDGED, and DECREED** that Defendant is liable for disgorgement of \$121,257, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$31,220.14, and a civil penalty of \$120,000, for a total of \$272,477.44. The full amount of this monetary judgment is deemed satisfied by the amount collected through the Receivership, as represented by the Receiver in this matter.

V.

It is **FURTHER ORDERED, ADJUDGED, and DECREED** that the Asset Freeze provisions of the Court's March 25, 2009 Temporary Restraining Order, Freezing Assets, Requiring an Accounting, Requiring Preservation of Documents, Authorizing Expedited Discovery, and Granting Other Equitable Relief against Defendants ("TRO"), and the court's March 25, 2009 Order appointing Receiver against Defendants is dissolved as to Defendant.

VI.

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 undertaking and agreements set forth therein.

VII.

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 Judgment.

VIII.

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 Judgment forthwith and without further notice.

**SO ORDERED** on this **17th day** of **February, 2016**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE