

09-CV-00987-JGM

FILED ENTERED
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JUL 15 2009 LK

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

FILED ENTERED
LODGED RECEIVED

SEP 17 2009

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

C09-0987 MAT

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

BY **SECURITIES AND EXCHANGE COMMISSION,**

Plaintiff,

v.

MATH J. HIPP, JR.

Defendant.

CASE NO.: 08-[insert]- CIV-[insert]

FINAL JUDGMENT AGAINST
DEFENDANT MATH JAMES HIPP JR.

The Securities and Exchange Commission having filed a Complaint, and Defendant Math James Hipp Jr. having: entered a general appearance; consented to the Court's jurisdiction over him 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 subject matter and personal jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

PERMANENT INJUNCTION

IT IS ORDERED AND ADJUDGED that Hipp and his agents, servants, employees, attorneys, and representatives, and all persons in active concert or participation with them, who

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Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Telephone: (305) 982-6317

09-CV-00987-ORD

receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to 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; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

II.

DISGORGEMENT, PREJUDGMENT INTEREST, AND CIVIL PENALTY

IT IS FURTHER ORDERED AND ADJUDGED that Hipp is liable for disgorgement of \$118,245.39, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest in the amount of \$3,279.90, and a civil penalty in the amount of \$118,245.39 pursuant to Section 21A of the Exchange Act. Hipp shall satisfy this obligation by paying \$239,770.68 within ten (10) business days after entry of the Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. Hipp's payment shall be delivered or mailed to the Office of Financial

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Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Hipp 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. Hipp shall send a copy of the letter and payment form to: Teresa J. Verges, Assistant Regional Director, U.S. Securities and Exchange Commission, Miami Regional Office, 801 Brickell Avenue, Suite 1800, Miami, Florida 33131. Hipp shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States Treasury.

Hipp 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 amount he pays pursuant to this Final Judgment, regardless of whether such penalty amounts or any party thereof are added to a distribution fund or otherwise used for the benefit of investors. Hipp further shall not claim, assert, or apply for tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts Hipp pays pursuant to this 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.

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III.

INCORPORATION OF CONSENT

IT IS FURTHER ORDERED AND ADJUDGED that the Consent is incorporated into this Final Judgment with the same force and effect as if fully set forth herein, and that Hipp shall comply with all of the undertakings and agreements set forth in the Consent.

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.

DONE AND ORDERED in Chambers in Seattle, Washington, this 17
day of September, 2009

[Signature]
UNITED STATES DISTRICT JUDGE
Magistrate

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Copies to:

C. Ian Anderson, Esq.
Senior Trial Counsel
Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131
Direct line: (305) 982-6317
Facsimile: (305) 536-4154

Math James Hipp Jr.
8724 29th Avenue NW
Seattle, WA 98117-3827

Math James Hipp Jr.
c/o Christopher Wells
Lane Powell
1420 Fifth Avenue, Suite 4100,
Seattle, WA 98101
Telephone: (206) 223-7000
Facsimile: (206) 223-7107

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