## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA FORT LAUDERDALE DIVISION

CASE NO.: 09-CV-80986-COHN/SELTZER

### SECURITIES AND EXCHANGE COMMISSION,

#### Plaintiff,

v.

GEOTEC, INC.
F/K/A GEOTEC THERMAL GENERATORS, INC.,
BRADLEY T. RAY,
WILLIAM RICHARD LUECK, and
STEPHEN D. CHANSLOR,

#### Defendants.

# FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AS TO DEFENDANT WILLIAM RICHARD LUECK

Plaintiff Securities and Exchange Commission commenced this action by filing its Complaint in Case Number 09-cv-80986 (S.D. Fla.) against Defendant William Richard Lueck. In its Complaint, the Commission sought, among other relief against Lueck: (1) a permanent injunction to prohibit violations of Sections 10(b) and 13(b)(5) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §§ 78j(b) and 78m(b)(5)] and Exchange Act Rules 10b-5, 13b2-1, and 13a-14 [17 C.F.R. §§ 240.10b-5, 240.13b2-1 and 240.13a-14], and aiding and abetting violations of Sections 13(a), 13(b)(2)(A), and 13(b)(2)(B) of the Exchange Act [15 U.S.C. §§ 78m and 78m(a)] and Rules 12b-20, 13a-1, and 13a-11 [17 C.F.R. §§ 240.12b-20, 240.13a-1, and 240.13a-11]; and (2) an officer and director bar.

Lueck, by virtue of the attached Consent, having entered an appearance and consented to

the Court's jurisdiction over him and over the subject matter of this action, has: consented to entry of this Final Judgment of Permanent Injunction and Other Relief ("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. This Court having accepted such Consent, having jurisdiction over Lueck and the subject matter of this action:

I.

#### SECTION 10(b) AND RULE 10b-5 OF THE EXCHANGE ACT

IT IS ORDERED AND ADJUDGED that Lueck, his officers, agents, servants, representatives, employees, attorneys, and all persons in active concert or participation with them who 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) and Rule 10b-5 of the Exchange Act [15 U.S.C. § 78j(b) and 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.

### SECTION 13(b)(5) AND RULE 13b2-1 OF THE EXCHANGE ACT

IT IS FURTHER ORDERED AND ADJUDGED that Lueck, his officers, agents, servants, representatives, employees, attorneys, and all persons in active concert or participation

with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 13(b)(5) of the Exchange Act [15 U.S.C. § 78m(b)(5)] and Rule 13b2-1 promulgated thereunder [17 C.F.R. § 240.13b2-1] by:

- (a) falsifying or causing to be falsified any book, record or account subject to Section 13(b)(2)(A) of the Exchange Act; or
- (b) Knowingly circumventing or knowingly failing to implement a system of internal accounting controls.

III.

#### **RULE 13a-14 OF THE EXCHANGE ACT**

IT IS FURTHER ORDERED AND ADJUDGED that Lueck, his officers, agents, servants, representatives, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Rule 13a-14 of the Exchange Act [17 C.F.R. § 240.13a-14], by certifying falsely that to the best of their knowledge there were no untrue statements of material fact or omissions of a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading in any report filed under Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)].

IV.

# SECTIONS 13(a), 13(b)(2)(A) AND 13(b)(2)(B) AND RULES 12b-20, 13a-1, AND 13a-11 OF THE EXCHANGE ACT

IT IS FURTHER ORDERED AND ADJUDGED that Lueck, his officers, agents,

servants, representatives, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from aiding and abetting any violations of Sections 13(a), 13(b)(2)(A), and 13(b)(2)(B) of the Exchange Act [15 U.S.C. §§ 78m(a), 78(b)(2)] and Rules 12b-20, 13a-1, and 13a-11 thereunder [17 C.F.R. §§ 240.12b-20, 240.13a-1, and 240.13a-11], by knowingly providing substantial assistance to an issuer that:

- (a) fails to file with the Commission any report or statement required to be filed with the Commission pursuant to Section 13(a) of the Exchange Act and the rules and regulations promulgated thereunder, or information and documents required by the Commission to keep reasonably current the information and documents required to be included in or filed with an application or registration statement filed pursuant to Section 12 of the Exchange Act;
- (b) fails to file an annual report on the appropriate form authorized or prescribed therefore for each fiscal year after the last full fiscal year for which financial statements were filed in its registration statement. Annual reports shall be filed within the period specified in the appropriate form;
- (c) fails to file a current Form 8-K within the period specified in that form unless substantially the same information as that required by Form 8-K has been previously reported by the registrant;
- (d) fails, in addition to the information expressly required to be included in a statement or report, to add such further material information as is necessary to make the required statements, in the light of the circumstances under which they were made, not misleading;
- (e) fails to make and keep books, records, and accounts, which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of assets of the issuer; or

(f) fails to devise and maintain a system of internal accounting controls sufficient to provide reasonable assurances that: transactions are executed in accordance with management's general or specific authorization; transactions are recorded as necessary to permit preparation of financial statements in conformity with generally accepted accounting principles or any other criteria applicable to such statements, and to maintain accountability for assets; access to assets is permitted only in accordance with management's general or specific authorization; and the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any differences.

V.

#### OFFICER AND DIRECTOR BAR

IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Lueck is prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 781] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

VI.

#### **COOPERATION**

IT IS FURTHER ORDERED AND ADJUDGED that based on Lueck's cooperation, the Court is not ordering Lueck to pay a civil penalty. If at any time following the entry of the Final Judgment the Commission obtains information indicating that Lueck knowingly provided materially false or misleading information or materials to the Commission or in a related proceeding, the Commission may, at its sole discretion and without prior notice to the Lueck, petition the Court for an order requiring Lueck to pay a civil penalty. In connection with any such petition and at any hearing held on such a motion: (a) Lueck will be precluded from arguing that he did not violate the federal securities laws as alleged in the Complaint; (b) Lueck may not challenge the validity of the Judgment, this Consent, or any related Undertakings; (c) the allegations of the Complaint, solely for the purposes of such motion, shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion on the

basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. Under these circumstances, the parties may take discovery, including discovery from appropriate non-parties.

VII.

#### **INCORPORATION OF LUECK'S CONSENT**

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

VIII.

#### **RETENTION OF JURISDICTION**

IT IS FURTHER ORDERED AND ADJUDGED that the Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

IX.

#### **CERTIFICATION UNDER RULE 54(b)**

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.

DONE AND ORDERED this	27 M day of _	July	, 2010 at Fort
Lauderdale, Florida.	1	ma 47	•
	THE HONO	RABLE JAMES I. (	COHN

Copies to all counsel and parties of record