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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA (Bakersfield Division)**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 FRANK LYNN BLYSTONE,

16 Defendant.

Case No.

**FINAL JUDGMENT OF
PERMANENT INJUNCTION AND
OTHER RELIEF AS TO
DEFENDANT FRANK LYNN
BLYSTONE**

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Frank Lynn Blystone (“Defendant”) having entered a general appearance;
3 consented to the Court’s jurisdiction over Defendant and the subject matter of this
4 action; consented to entry of this Final Judgment without admitting or denying the
5 allegations of the Complaint (except as to jurisdiction); waived findings of fact and
6 conclusions of law; and waived any right to appeal from this Final Judgment:

7 I.

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
9 and Defendant’s agents, servants, employees, attorneys, and all persons in active
10 concert or participation with them who receive actual notice of this Final Judgment
11 by personal service or otherwise are permanently restrained and enjoined from
12 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
13 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder,
14 17 C.F.R. § 240.10b-5, by using any means or instrumentality of interstate
15 commerce, or of the mails, or of any facility of any national securities exchange, in
16 connection with the purchase or sale of any security:

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

24 II.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
26 and Defendant’s agents, servants, employees, attorneys, and all persons in active
27 concert or participation with them who receive actual notice of this Final Judgment
28 by personal service or otherwise are permanently restrained and enjoined from

1 violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”), 15
2 U.S.C. § 77q, in the offer or sale of any security by the use of any means or
3 instruments of transportation or communication in interstate commerce or by use of
4 the mails, directly or indirectly:

- 5 (a) to employ any device, scheme, or artifice to defraud;
- 6 (b) to obtain money or property by means of any untrue statement of a
7 material fact or any omission of a material fact necessary in order to
8 make the statements made, in light of the circumstances under which
9 they were made, not misleading; or
- 10 (c) to engage in any transaction, practice, or course of business which
11 operates or would operate as a fraud or deceit upon the purchaser.

12 III.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that,
14 pursuant to Section 21(d)(2) of the Exchange Act, 15 U.S.C. § 78u(d)(2), and
15 Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e), Defendant is prohibited
16 from acting as an officer or director of any issuer that has a class of securities
17 registered pursuant to Section 12 of the Exchange Act, 15 U.S.C. § 78l, or that is
18 required to file reports pursuant to Section 15(d) of the Exchange Act, 15 U.S.C. § 78o(d).

19 IV.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
21 is liable for disgorgement of \$36,267.00, representing losses avoided as a result of
22 the conduct alleged in the Complaint, together with prejudgment interest thereon in
23 the amount of \$2,493.38, and a civil penalty in the amount of \$36,267.00 pursuant to
24 Section 21A of the Exchange Act, 15 U.S.C. § 78u-1. Defendant shall satisfy this
25 obligation by paying \$75,027.38 within 14 days after entry of this Final Judgment by
26 certified check, bank cashier's check, or United States postal money order payable to
27 the Securities and Exchange Commission. The payment shall be delivered or mailed
28 to the Office of Financial Management, Securities and Exchange Commission, 100 F

1 Street, NE, Stop 6042, Washington DC 20549, and shall be accompanied by a letter
2 identifying Frank Lynn Blystone as a defendant in this action; setting forth the title
3 and civil action number of this action and the name of this Court; and specifying that
4 payment is made pursuant to this Final Judgment. Defendant shall pay post-
5 judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The
6 Commission shall remit the funds paid pursuant to this paragraph to the United
7 States Treasury.

8 V.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
10 Consent of Defendant Frank Lynn Blystone is incorporated herein with the same
11 force and effect as if fully set forth herein, and that Defendant shall comply with
12 all of the undertakings and agreements set forth therein.

13 VI.

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

17 VII.

18 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
19 Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and
20 without further notice.

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24 IT IS SO ORDERED.

25 Dated: May 11, 2012

/s/ Lawrence J. O'Neill
26 UNITED STATES DISTRICT JUDGE