

ADMINISTRATIVE PROCEEDING  
FILE NO. 3-11010

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION  
August 25, 2003

SECURITIES & EXCHANGE COMMISSION  
MAILED FOR SERVICE

AUG 27 2003

FIRST CLASS

In the Matter of

ORDER

KEVIN H. GOLDSTEIN and  
JACKWEST CORPORATION

The hearing in this matter ended on July 29, 2003. By motion dated August 15, 2003, the Division of Enforcement (Division) has proposed corrections to the transcript. See Rule 302(c) of the Securities and Exchange Commission's Rules of Practice. I have reviewed the Division's proposed changes, and I conclude that they should be adopted. In addition, I propose several additional changes to the transcript, as listed on the Attachment to this Order. The parties will have until September 8, 2003, to review these proposed additional transcript changes. If no objections are filed within that time, then the additional proposed changes listed on the Attachment will become effective without further Order. If objections are filed, I will address the objections in a separate Order. If Respondents Kevin H. Goldstein and Jackwest Corporation have their own changes to propose to the hearing transcript, they should file and serve a list of any such proposed changes by September 8, 2003.

Division Exhibit 37 ("DX 37"), a two-page document titled "North Coast First Call Pitch," was offered and accepted into evidence on July 29, 2003, at transcript pages 291-93. Nonetheless, DX 37 was not indexed by the court reporter as having been admitted into evidence. Nor was DX 37 included as an attached exhibit to the official transcript. On August 15, 2003, the Division submitted a copy of DX 37 and requested that it be made part of the official record. The unopposed request is granted.

Respondents' Exhibit 1 ("RX 1") is a ten-page document titled "Statement of Financial Condition of Kevin Goldstein." The document is notarized and dated March 28, 2003. A review of the transcript shows that Mr. Goldstein offered RX 1 and the Division moved to strike (transcript pages 485, 487-89). At this time, RX 1 is accepted into evidence and the Division's motion to strike is denied. The parties may argue in the

posthearing pleadings about how much weight should go to that exhibit and to the testimony concerning it. I will address the issue of ability to pay financial sanctions in the Initial Decision.

  
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James T. Kelly  
Administrative Law Judge

Administrative Proceeding No. 3-11010  
Attachment to Order of August 25, 2003

<u>Transcript Page/Line</u>	<u>Change</u>	<u>To</u>
6/11	Security	Securities
8/14	and you	and if you
34/20	25 Bush	225 Bush
35/8	25 Bush	225 Bush
65/20	paid	pay
66/5	there's	there are
96/10	paid	pay
111/13	premise	promise
201/2	I appreciate you	I'd appreciate if you
358/8	grave	great
425/11	is	are
429/16	are	is
483/22	was to	want to
487/15	to exam	to examine
all pages	Kendal	Kendall