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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**UNIVERSE, INC., RICHARD FENNING, SUSAN  
RICHARDS, JOHN RICHARDS,  
LAWRENCE BLOCKER, JEFFREY BURTON,  
THIRD TIER MARKETING, INC., ROBERT HASHO  
LANDMARK CORP., HOWARD TOOMER,  
H.E. TOOMER & ASSOCIATES, INC.,  
DANOO NOOR, TORE C. LARSEN and  
FIBERLINKS INTERNATIONAL, INC.**

**Defendants.**

00 Civ. 3596 (LDW)

**FINAL DEFAULT JUDGMENT  
AGAINST DEFENDANT JOHN RICHARDS**

1. Plaintiff Securities and Exchange Commission ("Commission") having filed a complaint ("Complaint") against John Richards ("Richards") and others on June 19, 2000, charging Richards with violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. §§ 77e(a), 77e(c) and 77q(a), Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), and Rule 10b-5, 17 C.F.R. § 240.10b-5, thereunder, and the Commission having served Richards with a summons and the Complaint, and the Clerk having entered Richards' default for failing to answer or otherwise respond to the Complaint, and the Commission having filed a motion for the entry of a default judgment against Richards, and good cause appearing for the entry of this judgment:

*Mr. Pizzani*

**MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY  
OF THIS ORDER ON ALL PARTIES UPON RECEIPT.**

I.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Richards be, and hereby is, permanently enjoined from, directly or indirectly, singly or in concert:

- (A) making use of any means or instrument of transportation or communication in, or the instrumentalities of, interstate commerce or of the mails to offer or sell any security, through the use or medium of any prospectus or otherwise, unless and until a registration statement is in effect as to such security;
- (B) carrying or causing to be carried through the mails or in interstate commerce, by any means or instrument of transportation, for the purpose of sale or for delivery after sale, any security, unless and until a registration statement is in effect as to such security; or
- (C) 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 and until a registration statement has been filed with the Commission as to such security, or while a registration statement as to such security is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding of examination under Section 8 of the Securities Act of 1933,

in violation of Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c).

II.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Richards be, and hereby is, permanently enjoined and restrained from, directly or indirectly, singly or

in concert, in the offer or sale of any security, by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails:

- (A) employing any device, scheme, or artifice to defraud;
- (B) obtaining 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 statement made, in the light of the circumstances under which it was made, not misleading; and
- (C) engaging in any transaction, practice, or course of business, which operates or would operate as a fraud or deceit upon the purchaser,

in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

### III.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Richards be, and hereby is, permanently enjoined and restrained from, directly or indirectly, singly or in concert, in connection with the purchase or sale of any security, by the use of any means or instrumentality of interstate commerce or of the mails, or of any facility of any national securities exchange:

- (A) employing any device, scheme, or artifice to defraud;
- (B) making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it was made, not misleading; and
- (C) engaging in any act, transaction, practice or course of business which operates or would operate as a fraud or deceit upon any person,

in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5.

**IV.**

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Richards shall pay a civil penalty in the amount of \$110,000. Such payment shall be paid within 30 days of this judgment by certified check, cashier's check, U.S. postal money order or bank money order, payable to the "United States Securities and Exchange Commission" and shall be transmitted to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312, under cover of a letter identifying the name and civil action number of this litigation, the Commission case number, NY-6456, the name "John Richards" and shall identify the payment as a civil penalty. A copy of the cover letter and check or money order shall be simultaneously transmitted to Kay Lackey, Assistant Regional Director, United States Securities and Exchange Commission, 233 Broadway, New York, New York 10279. The Commission shall transmit these funds to the United States Treasury.

**V.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that there being no just reason for delay in entry of this Final Judgment, the Clerk of the Court is hereby directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure to enter this Final Judgment forthwith.


VI.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Final Judgment is binding on Richards, his agents, servants, employees, attorneys and upon those persons in active concert or participation with Richards who receive actual notice of this Final Judgment by personal service or otherwise, pursuant to Rule 65(d) of the Federal Rules of Civil Procedure.

**SO ORDERED.**

Central Islip, New York

Date: 9/2/03

  
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United States District Judge