

CO JUDGE JK

ROTHSTEIN, J.

FILED
LODGED
RECEIVED MAIL

AUG 06 1999

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

FILED
LODGED

AUG 30 1999

ENTERED
RECEIVED

8/31/99

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

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

U.S. SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
UNITED FIRE TECHNOLOGY, INC., ET AL.,)
)
Defendants.)

Cause No. C97-1151R

FINAL JUDGMENT OF
PERMANENT INJUNCTIVE
AND OTHER RELIEF BY
CONSENT AGAINST
BEVERLEE KAMERLING,
A/K/A BEVERLEE CLAYDON

Plaintiff U.S. Securities and Exchange Commission ("Commission") having commenced this action by filing a complaint on July 15, 1997 against, inter alia, defendant Beverlee Kamerling, a/k/a Beverlee Claydon ("Kamerling") for permanent injunctive and other relief ("Complaint"), charging Kamerling with violations of Section 5 of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77e, and Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b) and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5; and Kamerling having appeared pro se in this action, and having filed an answer to the Complaint, which answer is withdrawn by the Consent; and Kamerling having executed the annexed Consent of Beverlee Kamerling, a/k/a Beverlee Claydon ("Consent"), in which, without

FINAL JUDGMENT OF PERMANENT
INJUNCTIVE AND OTHER RELIEF
BY CONSENT AGAINST
BEVERLEE KAMERLING - 1

U.S. Securities and Exchange Commission
7 World Trade Center, 13th Floor
New York, New York 10048
Tel.: 212-748-8375

97

cto, Bor Jgmt Bk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 admitting or denying the allegations of the Complaint, Kamerling admits the in personam
2 jurisdiction of the Court over her, the Court's jurisdiction over the subject matter of this action,
3 and the service of the summons and Complaint upon her, waives the entry of findings of fact and
4 conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, and consents to
5 the entry, without further notice, of this Final Judgment of Permanent Injunctive and Other
6 Relief by Consent Against Beverlee Kamerling ("Final Judgment"); and there being no just
7 reason for delaying the entry of this Final Judgment:
8

9 I.

10 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Kamerling hereby is
11 permanently enjoined and restrained from, directly or indirectly, singly or in concert:

- 12 (a) making use of any means or instruments of transportation or
13 communication in interstate commerce or of the mails to sell a security,
14 through the use or medium of any prospectus or otherwise unless a
15 registration statement is in effect with the Commission as to such security
16 or an exemption or safe-harbor is applicable;
17
18 (b) carrying or causing to be carried through the mails or in interstate
19 commerce, by any means or instruments of transportation, any security for
20 the purpose of sale or for delivery after sale unless a registration statement
21 is in effect with the Commission as to such security or an exemption or
22 safe-harbor is applicable; or
23
24 (c) making use of any means or instruments of transportation or
25 communication in interstate commerce or of the mails to offer to sell or

1 offer to buy through the use or medium of any prospectus or otherwise any
2 security, unless a registration has been filed with the Commission as to
3 such security or an exemption or safe-harbor is applicable, or while the
4 registration statement is the subject of a refusal order or stop order or
5 (prior to the effective date of the registration statement) any public
6 proceeding or examination under Section 8 of the Securities Act, 15
7 U.S.C. § 77h;

8
9 in violation of Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c).

10 **II.**

11 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Kamerling is
12 permanently restrained and enjoined, directly or indirectly, singly or in concert, in the offer or
13 sale of any securities, by the use of any means or instruments of transportation or communication
14 in interstate commerce or by the use of the mails, from:

- 15 (a) employing any device, scheme, or artifice to defraud;
- 16 (b) obtaining money or property my means of any untrue statement of a material fact
17 or any omission necessary to state a material fact necessary in order to make the
18 statements made, in light of the circumstances under which they were made, not
19 misleading; or
- 20 (c) engaging in any transaction, practice, or course of business which operates or
21 would operate as a fraud or deceit upon the purchaser,

22
23 in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

24
25 **FINAL JUDGMENT OF PERMANENT
INJUNCTIVE AND OTHER RELIEF
BY CONSENT AGAINST
BEVERLEE KAMERLING - 3**

**U.S. Securities and Exchange Commission
7 World Trade Center, 13th Floor
New York, New York 10048
Tel.: 212-748-8375**

III.

1
2 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Kamerling is
3 permanently restrained and enjoined, directly or indirectly, singly or in concert, in connection
4 with the purchase or sale of any security, by the use of any means or instrumentality or interstate
5 commerce or of the mails, or of any facility of any national securities exchange, from:

- 6 (a) employing any device, scheme, or artifice to defraud;
7
8 (b) making any untrue statement of a material fact or omitting to state a material fact
9 necessary in order to make the statements made, in light of the circumstances
10 under which they were made, not misleading; or
11 (c) engaging in any act, practice, or course of business which operates or would
12 operate as a fraud or deceit upon any person,

13 in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R.
14 § 240.10b-5.

15
16 IV.

17 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this Final
18 Judgment is binding upon Kamerling, her agents, servants, employees, and attorneys, and upon
19 those persons in active concert or participation with him who receive actual notice of this Final
20 Judgment by personal service or otherwise.

21 V.

22 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Kamerling
23 disgorge \$1,066,515.80, plus pre-judgment interest thereon in the amount of \$412,570.71. The
24 amount of disgorgement represents the total received by Kamerling and/or WWBM Consultants,

25 FINAL JUDGMENT OF PERMANENT
INJUNCTIVE AND OTHER RELIEF
BY CONSENT AGAINST
BEVERLEE KAMERLING - 4

U.S. Securities and Exchange Commission
7 World Trade Center, 13th Floor
New York, New York 10048
Tel.: 212-748-8375

1 Inc. from the sale of United Fire Technology, Inc. securities in violation of the federal securities
2 laws as described in the complaint, without deduction for any costs, expenses, or amounts paid to
3 other persons. Disgorgement shall be joint and several with WWBM Consultants, Inc., and
4 Kamerling shall receive a credit for all amounts disgorged by WWBM Consultants, Inc.

5 **VI.**

6 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the Court finds
7 that Kamerling's conduct demonstrates substantial unfitness to serve as an officer or director of
8 any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act, 15
9 U.S.C. § 78l, or that is required to file reports pursuant to Section 15(d) of the Exchange Act, 15
10 U.S.C. § 78o(d), and that Kamerling is therefore permanently prohibited from acting as an officer
11 or director of any such entity.
12

13 **VII.**

14 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this Court shall
15 retain jurisdiction of this matter for all purposes.
16


17 **VIII.**

18 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the annexed
19 Consent is incorporated in this Final Judgment with the same force and effect as it fully set forth
20 herein.
21
22
23
24

IX.

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

PRESENTED BY:



JOHN J. GRAUBARD

Dated this 30th day of August, 1999.



UNITED STATES DISTRICT JUDGE

FINAL JUDGMENT OF PERMANENT
INJUNCTIVE AND OTHER RELIEF
BY CONSENT AGAINST
BEVERLEE KAMERLING - 6

U.S. Securities and Exchange Commission
7 World Trade Center, 13th Floor
New York, New York 10048
Tel.: 212-748-8375

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25