

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

9

10

11

12

13

15

16

17

18

19

20

21

22

23

24

25

26

27

28

MICHELLE NGUYEN, LISA NGUYEN and HAO VU

Defendants.

Case No. SACV 99-830 AHS (ANX)

FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST HAO VIL

NOV 18 1999

Plaintiff Securities and Exchange Commission ("Commission") SANIA ANA OFFICE having filed and served upon Defendant Hao Vu ("Vu") a Summoffst and Complaint in this action; Vu having admitted service upon him of the Summons and Complaint in this action and the jurisdiction of this Court over him and over the subject matter of this action; having been fully advised and informed of his right to a judicial determination of this matter; having waived the entry of findings of fact and conclusions of law as provided by Rule 52 of the Federal Rules of Civil Procedure; having consented to the entry of this Final Judgment Of Permanent Injunction And Other Relief Against Hao

Vu ("Final Judgment"), without admitting or denying the allegations

Docketed

Mld copy Ptys

Mld Notice Ptys

DJS - 6

I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY FIRST CLASS MAIL POSTAGE PREPAID, TO ALL COUNSEL (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF RECORD IN THIS ACTION ON THIS DATE

DEPUTY CLERK

ENTERED ICMS 110

in the Complaint except as specifically set forth in the Consent Of Hao Vu To Entry Of Final Judgment Of Permanent Injunction And Other Relief ("Consent"); no notice of hearing upon the entry of this Final Judgment being necessary; and this Court being fully advised:

I.

IT IS ORDERED, ADJUDGED AND DECREED that Vu and his agents, servants, employees and attorneys, and all persons in active concert or participation with any of them, who receive actual notice of this Final Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from, directly or indirectly, 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 statements made, in the light of the circumstances under which they were made, not misleading; or
- C. engaging in any act, 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 Securities Exchange Act of 1934
[15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R.
§ 240.10b-5].

1

2

3 |

4

5

6

7

8

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

27

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Vu pay disgorgement in the amount of \$26,000, plus pre-judgment interest calculated pursuant to 28 U.S.C. § 1961. Vu shall make complete payment of the disgorgement within thirty (30) days of entry of this Final Judgment. This sum shall be paid by cashier's check, certified check or postal money order made payable to the United States Securities and Exchange Commission, and shall be transmitted to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312, under cover of a letter that identifies the defendant, the name and case number of this litigation, and the court. A copy of such cover letter shall be simultaneously transmitted to counsel for the Commission in this action at its Los Angeles Office.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Vu is assessed, and shall pay to the Commission for delivery to the United States Treasury, civil penalties in the amount of \$26,000 pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1]. Vu shall pay the above penalty in four (4) equal installments, with accumulated interest calculated pursuant to 28 U.S.C. § 1961, beginning sixty (60) days after entry of this Final Judgment and continuing every ninety (90) days thereafter. These sums shall be made by cashier's check, certified check or postal money order, payable to the United States Treasury, and shall be transmitted to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312, 28 under cover of a letter which identifies the defendant, the name and case number of this litigation and the name of the Court. A copy of the cover letter shall be simultaneously transmitted to counsel for the Commission at its Los Angeles office

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions of the Consent filed concurrently with this Final Judgment are incorporated by this reference, and that Vu shall comply with the Consent.

٧.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this action for all purposes, including to determine the liability of any remaining defendants in this action, to implement and enforce the terms of this Final Judgment and other orders and decrees which may be entered, and to grant such other relief as this Court may deem necessary and just.

DATED: 11.15.99

Mama & Statte

UNITED STATES DISTRICT JUDGE

JUDGMENT

CERTIFICATE OF SERVICE

I, Marylee Burton, am the over the age of 18 years, not a party to this action, and am a citizen of the United States. My business address is 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036. On November 5, 1999, I caused to be served the following document entitled, (1) CONSENT OF MICHELLE NGUYEN TO ENTRY OF FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF; (2) CONSENT OF HAO VU TO ENTRY OF FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF; (3) CONSENT OF LISA NGUYEN TO ENTRY OF FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF (4) FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST MICHELLE NGUYEN; (5) FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST HAO VU; and (6) FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST LISA NGUYEN causing to be mailed true and correct copies thereof in sealed envelope, postage prepaid, to: Scott W. Wellman Wellman & Warren LLP 4 Venture

Suite 325 Irvine, CA 92618-3325

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

26

27

28

Cinthia Schaldenbrand Freeburg, Judy & Nettels 440 West First Street Suite 102 Tustin, CA 92780-3047

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 5, 1999