

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

SECURE CAPITAL FUNDING
CORPORATION, et al.,

Defendants.

Civ. No. 11-00916

ORDER

THOMPSON, U.S.D.J.

In accordance with the Opinion issued herewith on the matter of default judgment,

IT IS, on this 27th day of June, 2013,

ORDERED that Plaintiff's Motion for Entry of Default Judgment as to Defendants Secure Capital Funding Corporation ("SCF"), ST Underwriters Corporation ("STUC"), Alan Smith ("Smith"), and Kiavanni Pringle ("Pringle), (collectively "Defendants"), (Doc. No. 85), is GRANTED; and in conformance thereto it is

ORDERED, ADJUDGED AND DECREED that Final Judgment is ENTERED in favor of Plaintiff U.S. Securities and Exchange Commission and against defendants SCF, STUC, Smith and Pringle; and it is

ORDERED, ADJUDGED AND DECREED that SCF, STUC, Smith and Pringle, their agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5], by using any means or

instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

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

ORDERED, ADJUDGED AND DECREED that SCF, STUC, Smith and Pringle, their agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise are permanently restrained and enjoined from violating Section 14(a) of the Securities Act, [15 U.S.C. §§ 77q(a)] 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, directly, or indirectly:

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

ORDERED, ADJUDGED AND DECREED that SCF, STUC, Smith and Pringle, their agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise are permanently

restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e], directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise;
- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; 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 a registration statement had been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h]; and it is

ORDERED, ADJUDGED AND DECREED that STUC, its agents, servants, employees, attorneys, and all persons in active concert or participation with it who receive actual notice of this Order by personal service or otherwise is permanently restrained and enjoined from violating Section 15(a) of the Exchange Act, 5 U.S.C. § 77o, by, directly or indirectly, making use of the mails or any means or instrumentality of interstate commerce in effecting transactions in or inducing or attempting to induce the purchase or sale of securities, unless STUC is registered with the Securities and Exchange Commission as a broker or dealer or when STUC is not associated with an entity registered with the Securities and Exchange Commission as a broker-

dealer, or unless the security is an exempted security, commercial paper, bankers' acceptances or commercial bills; and it is

ORDERED, ADJUDGED AND DECREED that Smith, his agents, servants, employees, attorneys, and all persons in active concert or participation with him who receive actual notice of this Order by personal service or otherwise is permanently restrained and enjoined from aiding and abetting any violation of Section 15(a) of the Exchange Act, 5 U.S.C. § 77o, by knowingly providing substantial assistance to an entity that, directly or indirectly, makes use of the mails or any means or instrumentality of interstate commerce in effecting transactions in or inducing or attempting to induce the purchase or sale of securities, unless that entity is registered with the Securities and Exchange Commission as a broker or dealer, or unless the security is an exempted security, commercial paper, bankers' acceptances or commercial bills; and it is

ORDERED that the question of any return of funds and assets to the United States, disgorgement, prejudgment interest, or civil penalties is RESERVED for an in-person evidentiary hearing, to be set for the 26th of September, 2013, or upon further order of the Court.

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.