

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

SECURITIES AND EXCHANGE COMMISSION,  
  
Plaintiff,  
  
v.  
  
ALTERNATE ENERGY HOLDINGS, INC., et al.,  
  
Defendants and Relief Defendants.

Case No. 1:10-cv-621-EJL-REB

**FINAL JUDGMENT AS TO RELIEF  
DEFENDANT BLACK &  
LOBELLO, LLC**

Before the Court in the above entitled matter is the Securities and Exchange Commission's (the "Commission") Motion for Entry of Final Judgment against Relief Defendant Black & LoBello, LLC. The Motion is made pursuant to Federal Rule of Civil Procedure 58(b)(2)(B) on the ground that Black & LoBello, LLC has complied with the Court's Order requiring it to turn over funds subject to disgorgement. (Dkt. 343.) Having reviewed the Motion and entire record herein, the Court finds the conditions for entry of judgment under Rule 58(b)(2)(B) have been met in this case.

The Commission filed a Supplemental Amended Complaint against Relief Defendant Black & LoBello LLC and the Relief Defendant Black & LoBello LLC appeared in this action. On December 18, 2015, the Court issued an Order requiring Relief Defendant Black & LoBello, LLC to turn over funds subject to disgorgement in the amount of \$2 million within thirty (30) days of the date of the Order. (Dkt. 335.) Relief Defendant Black & LoBello LLC has paid the \$2 million to the SEC in accordance with the terms of the Order and having thereby relinquished all legal and equitable right, title, and interest in such funds and acknowledged that no part of the funds shall be returned to Black &

LoBello, LLC. No further relief is sought by or owed to the SEC. (Dkt. 343.) Therefore, the Court will grant the Motion for Entry of Final Judgment against Relief Defendant Black & LoBello, LLC.

**ORDER**

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion for Entry of Final Judgment against Relief Defendant Black & LoBello, LLC (Dkt. 343) is **GRANTED** as follows:

- 1) The obligation of Relief Defendant Black & LoBello, LLC to pay the funds ordered herein shall be deemed satisfied upon the Commission's receipt of the funds in compliance with the specified payment terms.
- 2) This Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.
- 3) There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.



DATED: January 10, 2017

A handwritten signature in black ink, appearing to read "Edward J. Lodge". The signature is written over a horizontal line.

Edward J. Lodge  
United States District Judge