

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 17 2012 ★
LONG ISLAND OFFICE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

09-CV-4547 (LDW) (ETB)

CHARLES C. SLOWEY, JR; ENDEAVOR
PARTNERS, LLC; ENDEAVOR CAPITAL
MANAGEMENT GROUP, LLC; EDWARD D.
PUTTICK, SR.; ADVANCED PLANNING
SECURITIES, INC.; GREGORY L. OLDHAM;
GLENN R. HARRIS; and OLDHAM HARRIS
INC.,

Defendants,

ENDEAVOR REAL ESTATE FUND I, LLC and
ENDEAVOR REAL ESTATE FUND II, LLC.

Relief Defendants.

**FINAL JUDGMENT AS TO RELIEF DEFENDANT
ENDEAVOR REAL ESTATE FUND II, LLC**

The Securities and Exchange Commission having filed an Amended Complaint (the "Complaint") and Relief Defendant Endeavor Real Estate Fund II, LLC ("Relief Defendant") having entered a general appearance; consented to the Court's jurisdiction over Relief Defendant and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Relief Defendant jointly and severally with Endeavor Partners, LLC, Charles C. Slowey, and Endeavor Capital Management Group, LLC, is liable for disgorgement of \$4,789,721, together with prejudgment interest thereon in the amount of \$2,465,684.

Payment of disgorgement and prejudgment interest shall be deemed satisfied by Relief Defendant's consent to the constructive trust described in Paragraph II. Relief Defendant relinquishes all legal and equitable right, title, and interest in the properties described in Paragraph II and no part of the properties shall be returned to Relief Defendant.

The Commission may propose a plan to distribute any funds obtained from the sale of the properties described in Paragraph V subject to the Court's approval. The Court shall retain jurisdiction over the administration of any distribution of these funds.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Relief Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that a constructive trust in favor of investors be and hereby is imposed on all property in which Relief Defendant has a legal or equitable interest, pursuant to Section 21(d)(5) of the Exchange Act [15 U.S.C. § 78u(d)(5)] and the general equitable powers of this Court.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is incorporated herein with the same force and effect as if fully set forth herein, and that Relief Defendant shall comply with all of the undertakings and agreements set forth therein.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all persons claiming to have any interest in and to any property in which Relief Defendant has a legal or equitable interest, and all persons seeking to enforce a claim against Relief Defendant by judicial or non-judicial means and their agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are hereby enjoined and restrained from (1) commencing or prosecuting any legal action against Relief Defendant or property in which Relief Defendant has an interest, (2) commencing or prosecuting any judicial or non-judicial foreclosure against property in which Relief Defendant has an interest, or (3) otherwise obtaining title to or possession of property in which Relief Defendant has an interest. Any person subject to this paragraph may move this Court for an order modifying this injunction.

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

VI.

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.

CENTRAL ISLIP, NY
Dated: 10/17/12



UNITED STATES DISTRICT JUDGE