

ORIGINAL

FILED
U.S. DISTRICT COURT
DISTRICT OF KANSAS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
WICHITA DIVISION

ORIGINAL

APR 20 8 42 AM '01

RALPH L. DELOACH
CLERK

BY DEPUTY
AT WICHITA, KS.

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

Civil Action No. 99-1483 MLB

ORACLE TRUST FUND;
JUBILEE TRUST FUND;
ELKOSH TRUST FUND;
JEROME L. DEFRIES; and
KEVIN S. MCQUEEN,

Defendants,

and

ROGER PEARSON, individually and d/b/a
BIZ ENTERPRISES,

Defendant Solely for the Purpose
of Equitable Relief.

ORDER MODIFYING FINAL JUDGMENTS

Upon application of Plaintiff United States Securities and Exchange Commission ("Commission") for an order modifying the Final Judgments of Defendants Jerome L. DeFries ("DeFries") and Kevin S. McQueen ("McQueen") by setting a civil penalty amount, and after consideration of said application, and for good cause shown, it is hereby

ORDERED that the Final Judgment As To Jerome L. DeFries, filed on August 14, 2001 ("Final Order"), is hereby modified, as set forth as follows:

Section III of the Final Order is stricken and the following is hereby substituted therefor:

III.

IT IS FURTHER ORDERED that, pursuant to Section 20(d) of the Securities Act of 1933, [15 U.S.C. §77t(d)], and Section 21(d)(3) of the Securities Exchange Act of 1934, [15 U.S.C. §78u(d)(3)], Jerome L. DeFries is ordered to pay a civil penalty of \$110,000. After satisfaction

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of this Court's disgorgement order, Defendant DeFries shall pay the civil money penalty to the United States Treasury. The payment shall be in the form of a cashiers check, certified check or postal money order made payable to the "Securities and Exchange Commission." The check or money order shall be hand-delivered or mailed to the Comptroller, Securities and Exchange Commission, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312; and submitted under cover of a letter that identifies Defendant DeFries, the caption and case number of this action, and the name of the Court. A copy of the cover letter and check shall be sent to Harold F. Degenhardt, District Administrator, Securities and Exchange Commission, Fort Worth District Office, 801 Cherry Street, 19th Floor, Fort Worth, TX 76102. At such time as said monies are paid to the Commission, DeFries relinquishes all legal and equitable right, title, and interest in those funds and no part of such monies shall be returned to DeFries or his affiliates, heirs, successors, or assigns.

IT IS FURTHER ORDERED that the Final Judgment As To Kevin S. McQueen, filed on August 14, 2001 ("Final Order"), is hereby modified, as set forth as follows:

Section III of the Final Order is stricken and the following is hereby substituted therefor:

III.

IT IS FURTHER ORDERED that, pursuant to Section 20(d) of the Securities Act of 1933, [15 U.S.C. §77t(d)], and Section 21(d)(3) of the Securities Exchange Act of 1934,[15 U.S.C. §78u(d)(3)], Jerome L. DeFires is ordered to pay a civil penalty of \$110,000. After satisfaction of this Court's disgorgement order, Defendant DeFries shall pay the civil money penalty to the United States Treasury. The payment shall be in the form of a cashiers check, certified check or postal money order made payable to the "Securities and Exchange Commission." The check or money order shall be hand-delivered or mailed to the Comptroller, Securities and Exchange Commission, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312; and submitted under cover of a letter that identifies Defendant DeFries, the caption and case number of this action, and the name of the Court. A copy of the cover letter and check shall be sent to Harold F. Degenhardt, District Administrator, Securities and Exchange Commission, Fort Worth District Office, 801 Cherry Street, 19th Floor, Fort Worth, TX 76102. At such time as said monies are paid to the Commission, McQueen relinquishes all legal and equitable right, title, and interest in those funds and no part of such monies shall be returned to McQueen or his affiliates, heirs, successors, or assigns.

Dated: April 9, 2001

UNITED STATES DISTRICT JUDGE