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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.

William R. Baker III
Antonia Chion
Charles J. Clark
Andrew L. Snowdon
Stephen I. Goorvitch
Securities and Exchange Commission
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ENTERED
DEC 19 2000
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA OFFICE
UNITED STATES DISTRICT COURT

FILED
DEC 19 2000
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION
DEPUTY

Securities and Exchange Commission
5670 Wilshire Boulevard, 11th Floor
Los Angeles, California 90036-3648
(213) 965-3998

CENTRAL DISTRICT OF CALIFORNIA

P-SEND

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

AVIATION DISTRIBUTORS, INC., et al.

Defendants.

CIVIL ACTION NO.

SACV 00-1089

DOC

FINAL JUDGMENT
AGAINST JAMES J.
GOULET

(EEEx)

✓ Docketed
✓ Copies / NTC Sent
✓ JS - 5 / JS - 6
✓ JS - 2 / JS - 3
✓ CLSD

This Court having determined that

1 Plaintiff SECURITIES AND EXCHANGE COMMISSION ("COMMISSION")
duly commenced this action by filing a COMPLAINT,

2 Defendant JAMES J. GOULET, in the attached CONSENT OF JAMES J.
GOULET ("CONSENT"), the provisions of which are expressly incorporated herein, entered a

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

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DEC 19 2000

1 general appearance, admitted the jurisdiction of this Court over him and over the subject matter of
2 this action, waived the entry of findings of fact and conclusions of law pursuant to Rule 52 of the
3 Federal Rules of Civil Procedure, and, without admitting or denying any of the allegations of the
4 COMPLAINT, except as to jurisdiction, consented to the entry of this FINAL JUDGMENT
5 AGAINST JAMES J GOULET ("FINAL JUDGMENT"), and
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8 3 This Court has jurisdiction over defendant GOULET and the subject matter of this
9 action

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11 **L**

12 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that defendant GOULET,
13 his agents, servants, employees and attorneys, and all persons in active concert or participation
14 with him who receive actual notice of this FINAL JUDGMENT by personal service or otherwise,
15 and each of them, be and hereby are permanently restrained and enjoined from violating Section
16 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U S C § 78j(b)] and Rule
17 10b-5 [17 C F R 240 10b-5] promulgated thereunder by, directly or indirectly, making use of any
18 means or instrumentality of interstate commerce, or of the mails, or of any facility of any national
19 securities exchange, to
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- 22 1) employ any device, scheme or artifice to defraud,
23 2) make any untrue statement of a material fact or omit to state a material fact
24 necessary in order to make the statements made, in the light of the circumstances
25 under which they were made, not misleading, or
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1 3) engage in any act, practice or course of business which operates or would operate
2 as a fraud or deceit upon any person
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4 in connection with the purchase or sale of any security

5 **II.**

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that defendant
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8 GOULET, his agents, servants, employees and attorneys, and all persons in active concert or
9 participation with him who receive actual notice of this FINAL JUDGMENT by personal service
10 or otherwise, and each of them, be and hereby are permanently restrained and enjoined from
11 violating Section 13(b)(5) of the Exchange Act [15 U S C § 78m(b)(5)] by, directly or indirectly,
12 knowingly circumventing or knowingly failing to implement a system of internal accounting
13 controls, or knowingly falsifying or causing to be falsified books, records, or accounts of any
14 issuer which has a class of securities registered with the COMMISSION pursuant to Section 12 of
15 the Exchange Act [15 U S C § 78l] or any issuer which is required to file reports pursuant to
16 Section 15(d) of the Exchange Act [15 U S C § 78o(d)]
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19 **III.**

20 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that defendant
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22 GOULET, his officers, agents, servants, employees, attorneys-in-fact and all persons in active
23 concert or participation with him who receive actual notice of this FINAL JUDGMENT by
24 personal service or otherwise, and each of them, be and hereby are permanently restrained and
25 enjoined from, directly or indirectly, violating Exchange Act Rule 13b2-1 [17 C F R
26 § 240 13b2-1], by falsifying or causing to be falsified any book, record or account subject to
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1 Section 13(b)(2)(A) of the Exchange Act [15 U S C § 78m(b)(2)(A)]

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3 **IV.**

4 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that based upon
5 defendant GOULET's sworn representations in his Statements of Financial Condition dated
6 October 3, 1999 and June 30, 2000, and submitted to the COMMISSION, the Court is not
7 ordering GOULET to pay a civil penalty pursuant to Section 21(d)(3)(A) of the Exchange Act
8 [15 U S C § 78u(d)(3)(A)] The determination not to impose a civil penalty is based upon the
9 accuracy and completeness of GOULET's Statements of Financial Condition If at any time
10 following the entry of this FINAL JUDGMENT the COMMISSION obtains information
11 indicating that GOULET's representations to the COMMISSION concerning his assets, income,
12 liabilities, or net worth were fraudulent, misleading, inaccurate, or incomplete in any material
13 respect as of the time such representations were made, the COMMISSION may, at its sole
14 discretion and without prior notice to GOULET, petition this Court for an order requiring
15 GOULET to pay a civil penalty In connection with any such petition, the only issues shall be
16 whether the financial information provided by or on behalf of GOULET was fraudulent,
17 misleading, inaccurate, or incomplete in any material respect as of the time such representations
18 were made, and the amount of civil penalty to be imposed In any such petition, the
19 COMMISSION may move this Court to consider all available remedies, including, but not limited
20 to, ordering GOULET to pay funds or assets, directing the forfeiture of any assets, or sanctions
21 for contempt of this FINAL JUDGMENT, and the COMMISSION may also request additional
22 discovery GOULET may not, by way of defense to such petition, challenge the validity of this
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1 FINAL JUDGMENT, contest the allegations in the COMPLAINT filed by the COMMISSION,
2 or assert that the payment of a civil penalty should not be ordered
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4 V.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the attached
6 CONSENT be, and the same hereby is, incorporated with the same force and effect as if fully set
7 forth herein
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9 VI.

10 The CONSENT to the entry of this FINAL JUDGMENT, submitted herewith, covers the
11 claims in the COMPLAINT of the COMMISSION against JAMES J GOULET, and the Court
12 finds on the basis of the whole record of this case before the Court, that the claims in the
13 COMPLAINT against the remaining defendants are severable from those covered by this FINAL
14 JUDGMENT, it appearing appropriate to do so, the Court expressly determines that there is no
15 just reason for delay in the entry of this FINAL JUDGMENT in the form submitted, and the same
16 is approved by the Court and the Court expressly directs that this FINAL JUDGMENT shall be
17 entered herein as a separate judgment pursuant to Rule 54(b) of the Federal Rules of Civil
18 Procedure in favor of the COMMISSION and against JAMES J GOULET terminating the claims
19 in the COMPLAINT as to it accordingly
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UNITED STATES DISTRICT JUDGE

Date December 18 2000

PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

☒ United States Securities and Exchange Commission, Pacific Regional Office, 11th Floor, 5670 Wilshire Boulevard, Los Angeles, California 90036-3648, Fax (323) 965-3908.

On November 7, 2000, I served the foregoing document entitled **FINAL JUDGMENT AGAINST JAMES L. GOULET** on all parties to this action addressed as stated on the attached service list:

☒ **OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

☐ **PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid

☐ **EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

☐ **PERSONAL SERVICE:** I personally delivered each such envelope by hand to the office of the addressee.

☐ **FEDERAL EXPRESS:** By placing in sealed envelope(s) designated by Federal Express with delivery fees paid or provided for, which I deposited in a facility regularly maintained by Federal Express or delivered to a Federal Express courier, at Los Angeles, California.

☐ **FAX (BY AGREEMENT ONLY):** By transmitting the document by facsimile transmission at the time shown on the attached transmission report. The transmission was reported as complete and without error, and the attached transmission report was properly issued by the transmitting fax machine.

☒ **(Federal)** I declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made

Date:

Nov. 7, 2000

Brigitte Matthews
Brigitte Matthews

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