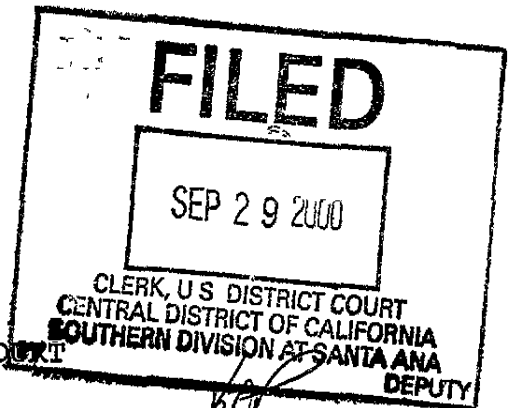


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UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 SOUTHERN DIVISION

SECURITIES AND EXCHANGE COMMISSION, Case No. SACV 00947

Plaintiff

vs.

MICHAEL L. HIEBERT

Defendant.

ENTERED

SEP 29 2000

FINAL JUDGMENT OF PERMANENT  
 INJUNCTION AND OTHER RELIEF  
 AGAINST MICHAEL L. HIEBERT

CLERK, U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 SANTA ANA OFFICE  
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Priority ☒  
 Send ☒  
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 JS-5/JS-6 ☒  
 JS-2/JS-3 ☒  
 Search Only ☒

Plaintiff Securities and Exchange Commission ("Commission")  
 having filed and served upon Defendant Michael L. Hiebert  
 ("Hiebert") a Summons and Complaint in this action; Hiebert having  
 admitted service upon him of the Summons and Complaint in this  
 action and the jurisdiction of this Court over him and over the  
 subject matter of this action; having been fully advised and  
 informed of his right to a judicial determination of this matter;  
 having waived the entry of findings of fact and conclusions of law  
 as provided by Rule 52 of the Federal Rules of Civil Procedure;  
 having consented to the entry of this Final Judgment Of Permanent  
 Injunction And Other Relief Against Michael L. Hiebert ("Final

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

ENTER ON ICMS

SEP 29 2000

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CLERK, U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 LOS ANGELES

FOR PARTIES AT THEIR RESPECTIVE, MOST RECENT, ADDRESS OF  
 RECORD, IN THIS ACTION, ON THIS DATE.

DATED: 9/29/00

DEPUTY CLERK

1 Judgment") without admitting or denying the allegations in the .  
2 Complaint, except as specifically set forth in the Consent Of  
3 Michael L. Hiebert To Entry Of Final Judgment Of Permanent  
4 Injunction And Other Relief ("Consent"); no notice of hearing upon  
5 the entry of this Final Judgment being necessary; and this Court  
6 being fully advised:

7 I.

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Hiebert and his  
9 agents, servants, employees and attorneys, and all persons in active  
10 concert or participation with any of them, who receive actual notice  
11 of this Final Judgment by personal service or otherwise, and each of  
12 them, are permanently restrained and enjoined from, directly or  
13 indirectly, in the offer or sale of securities, by the use of any  
14 means or instruments of transportation or communication in  
15 interstate commerce or by the use of the mails:

16 A. employing any device, scheme, or artifice to defraud;

17 B. obtaining money or property by means of any untrue  
18 statement of a material fact or any omission to state a  
19 material fact necessary in order to make the statements  
20 made, in the light of the circumstances under which they  
21 were made, not misleading; or

22 C. engaging in any transaction, practice, or course of  
23 business which operates or would operate as a fraud or  
24 deceit upon the purchaser,

25 in violation of Section 17(a) of the Securities Act of 1933  
26 ("Securities Act") [15 U.S.C. § 77q(a)].

27 II.

28 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hiebert and

1 his agents, servants, employees and attorneys, and all persons in  
2 active concert or participation with any of them, who receive actual  
3 notice of this Final Judgment by personal service or otherwise, and  
4 each of them, are permanently restrained and enjoined from, directly  
5 or indirectly, in connection with the purchase or sale of any  
6 security, by the use of any means or instrumentality of interstate  
7 commerce, or of the mails, or of any facility of any national  
8 securities exchange:

9 A. employing any device, scheme, or artifice to defraud;

10 B. making any untrue statement of a material fact or omitting  
11 to state a material fact necessary in order to make the  
12 statements made, in the light of the circumstances under  
13 which they were made, not misleading; or

14 C. engaging in any act, practice, or course of business

15 which operates or would operate as a fraud or deceit upon  
16 any person,

17 in violation of Section 10(b) of the Securities Exchange Act of 1934  
18 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder  
19 [17 C.F.R. § 240.10b-5].

20 **III.**

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hiebert and  
22 his agents, servants, employees and attorneys, and all persons in  
23 active concert or participation with any of them, who receive actual  
24 notice of this Final Judgment by personal service or otherwise, and  
25 each of them, are permanently restrained and enjoined from, directly  
26 or indirectly, filing, with respect to any issuer of a security  
27 registered pursuant to Section 12 of the Exchange Act or which is  
28 required to file reports pursuant to Section 15(d) of the Exchange

1 Act, any quarterly report on Form 10-Q or any other report required  
2 to be filed with the Commission pursuant to the Exchange Act or  
3 rules or regulations under that Act, that contains any untrue  
4 statement of material fact or omits to state any material fact  
5 required to be stated or necessary in order to make the statements  
6 made, in the light of the circumstances under which they were made,  
7 not misleading, in violation of Section 13(a) of the Exchange Act  
8 [15 U.S.C. § 78m(a)] and Rules 12b-20 and 13a-13 thereunder [17  
9 C.F.R. §§ 240.12b-20 and 240.13a-13].

10 IV.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hiebert and  
12 his agents, servants, employees and attorneys, and all persons in  
13 active concert or participation with any of them, who receive actual  
14 notice of this Final Judgment by personal service or otherwise, and  
15 each of them, are permanently restrained and enjoined from, directly  
16 or indirectly, by the use of any means or instrumentality of  
17 interstate commerce, or of the mails, or of any facility of any  
18 national securities exchange, causing the failure to make and keep  
19 accurate books, records and accounts which, in reasonable detail,  
20 accurately and fairly reflect financial transactions and disposition  
21 of assets, in violation of Section 13(b)(2)(A) of the Exchange Act  
22 [15 U.S.C. § 78m(b)(2)(A)] and Rule 13b2-1 thereunder [17 C.F.R. §  
23 240.13b2-1].

24 V.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hiebert and  
26 his agents, servants, employees and attorneys, and all persons in  
27 active concert or participation with any of them, who receive actual  
28 notice of this Final Judgment by personal service or otherwise, and

1 each of them, are permanently restrained and enjoined from, directly .  
2 or indirectly, by the use of any means or instrumentality of  
3 interstate commerce, or of the mails, or of any facility of any  
4 national securities exchange, causing the failure to maintain a  
5 system of internal accounting controls sufficient to provide  
6 reasonable assurances that financial statements are prepared in  
7 conformity with Generally Accepted Accounting Principles, in  
8 violation of Section 13(b)(2)(B) of the Exchange Act [15 U.S.C. §  
9 78m(b)(2)(B)].

10 **VI.**

11 --- IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hiebert shall  
12 pay a civil money penalty in the aggregate amount of \$10,000 to the  
13 United States Treasury, pursuant to Section 20(d) of the Securities  
14 Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act  
15 [15 U.S.C. § 78u(d)(3)]. Such penalty shall be paid within 30 days  
16 of the entry of this Final Judgment (without interest accruing  
17 thereon). Alternatively, Hiebert may elect to pay the penalty  
18 within 90 days of the entry of the Final Judgment providing,  
19 however, that interest shall accrue from the date this Final  
20 Judgment is entered and shall be payable, pursuant to 19 U.S.C. §  
21 1961. Each payment shall be: (A) made by United States postal  
22 money order, certified check, bank cashier's check or bank money  
23 order; (B) made payable to the Securities and Exchange Commission;  
24 (C) hand-delivered or mailed to the attention of the Comptroller,  
25 Securities and Exchange Commission, Operations Center, 6432 General  
26 Green Way, Stop 0-3, Alexandria, VA 22312; and (D) submitted under  
27 a cover letter that identifies: (1) Hiebert as the defendant in  
28 this civil proceeding, (2) the caption of this action, (3) the

1 Court, and (4) the docket number, with a copy of the cover  
2 letter and money order or check sent to Sandra J. Harris, Office of  
3 Enforcement, Securities and Exchange Commission, 5670 Wilshire  
4 Boulevard, 11<sup>th</sup> Floor, Los Angeles, California 90036.

5 VII.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions  
7 of the Consent filed concurrently with this Final Judgment are  
8 incorporated herein with the same force and effect as if fully set  
9 forth herein and that Hiebert shall comply with his Consent.

10 VIII.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court  
12 shall retain jurisdiction over this action for all purposes,  
13 including implementing and enforcing the terms of the Final Judgment  
14 and all other orders and decrees which have been and may be entered  
15 herein, and to entertain any suitable application or motion for  
16 additional relief within the jurisdiction of this Court.

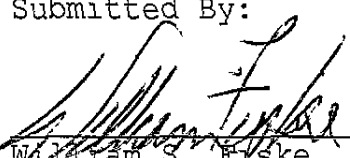
17 IX.

18 There being no just reason for delay, the Clerk of the Court is  
19 hereby directed, pursuant to Rule 54(b) of the Federal Rules of  
20 Civil Procedure, to enter this Final Judgment.

21  
22 DATED: 9.29.00

  
UNITED STATES DISTRICT JUDGE

23 Submitted By:

24   
25 William S. Fiske  
26 Attorney for Plaintiff  
27 Securities and Exchange Commission  
28