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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Tampa Division

2003 DEC -4 PM 12: 22

MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

CLERK OF COURT
TAMPA, FLORIDA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

Case No. 8:02-CV-822-T-17EA

v.

PINNACLE BUSINESS
MANAGEMENT, INC., et al.,

Defendants.

FINAL JUDGMENT AS TO DEFENDANT VINCENT A. LO CASTRO

The Securities and Exchange Commission having filed a Complaint and Defendant Vincent A. Lo Castro ("Defendant") having entered a general appearance; consented to the Court's jurisdiction over 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 ORDERED, ADJUDGED, AND DECREED that Defendant, Defendant's agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act [15

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U.S.C. § 77q(a)] in the offer of any security by the use of any means or instruments of transportation or communication interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;
or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, Defendant's agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange:

- (a) to employ any device, scheme, or artifice to defraud;

- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

in connection with the purchase or sale of any security.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant be and hereby is permanently prohibited, pursuant to Section 20(e) of the Securities Act [15 U.S.C. §77t(e)] and Section 21(d)(2) of the Exchange Act [15 U.S.C. §78u(d)(2)] from acting as an officer or director of any issuer that has a class of securities registered with the Commission pursuant to Section 12 of the Exchange Act [15 U.S.C. §78l], or that is required to file reports with the Commission pursuant to Section 15(d) of the Exchange Act [15 U.S.C. §78o(d)].

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$25,000 pursuant to Section 20(d) of the Securities Act [15 U.S.C. §77t(d)], and Section 21(d)(3) of the Exchange Act [15 U.S.C. §78u(d)(3)]. Defendant shall make this payment within ten (10) business days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green

Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Vincent A. Lo Castro as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Copies of the check and accompanying cover letter shall be transmitted to counsel for the Commission, Treasure R. Johnson, Esq., Assistant Chief Litigation Counsel, 450 Fifth Street, N.W., Washington, D.C. 20549-0911.

V.

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 Defendant shall comply with all of the undertakings and agreements set forth therein.

VI.

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.

VII.

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: *DEC 5th 2003*


UNITED STATES DISTRICT JUDGE

ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE

F I L E C O P Y

Date Printed: 12/05/2003

Notice sent to:

____ Treazure R. Johnson, Esq.
Securities and Exchange Commission
450 Fifth St., N.W.
Washington, DC 20549-0801

8:02-cv-00822 jab

____ Scott W. Friestad, Esq.
Securities and Exchange Commission
450 Fifth St., N.W.
Washington, DC 20549-0801

8:02-cv-00822 jab

____ Howard A. Scheck, Esq.
Securities and Exchange Commission
450 Fifth St., N.W.
Washington, DC 20549-0801

8:02-cv-00822 jab

____ Lawrence C. Renbaum, Esq.
Securities and Exchange Commission
450 Fifth St., N.W.
Washington, DC 20549-0801

8:02-cv-00822 jab

____ Scott L. Silver, Esq.
Darren C. Blum, P.A.
8751 W. Broward Blvd., Suite 404
Plantation, FL 33324-2632

8:02-cv-00822 jab

____ Martin H. Kaplan, Esq.
Gusrae, Kaplan & Bruno, PLLC
120 Wall St.
New York, NY 10005

8:02-cv-00822 jab

____ Sheryl Anne Zuckerman, Esq.
Gusrae, Kaplan & Bruno, PLLC
120 Wall St.
New York, NY 10005

8:02-cv-00822 jab

____ Gene R. Zweben, Esq.

Schwartz Zweben & Associates, LLP
205 S.W. Winnachee Dr.
Stuart, FL 34994

8:02-cv-00822 jab

— Albert D. Sturtevant, Esq.
Law Office of Albert D. Sturtevant
888 17th St. N.W., Suite 1000
Washington, DC 20006-3305

8:02-cv-00822 jab

— John Eamon Johnson, Esq.
Trenam, Kemker, Scharf, Barkin,
Frye, O'Neill & Mullis, P.A.
101 E. Kennedy Blvd., Suite 2700
P.O. Box 1102
Tampa, FL 33601-1102

8:02-cv-00822 jab

— Elizabeth R. Lewis, Esq.
Trenam, Kemker, Scharf, Barkin,
Frye, O'Neill & Mullis, P.A.
101 E. Kennedy Blvd., Suite 2700
P.O. Box 1102
Tampa, FL 33601-1102

8:02-cv-00822 jab

— Edward H. Balfour
16 Foster Center Rd.
Foster, RI 02904

8:02-cv-00822 jab