

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 02-80770-CIV-HURLEY/LYNCH**

**SECURITIES & EXCHANGE COMMISSION,  
Plaintiff,**

**v.**

**UNCOMMON MEDIA GROUP, INC.  
LAWRENCE GALLO and  
DOUGLAS RASBERRY,  
Defendants.**

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
&  
FINAL JUDGMENT SETTING CIVIL PENALTIES AGAINST DEFENDANTS  
LAWRENCE GALLO AND DOUGLAS RASBERRY**

**THIS CAUSE** is before the court upon Plaintiffs' Motion to Set Civil Penalties [DE# 34-1, 35-1] against defendants Lawrence Gallo and Douglas Rasberry. This matter was previously referred to United States Magistrate Judge James Hopkins pursuant to 28 U.S.C. §§ 636-39 and Rule 72 of the Federal Rules of Civil Procedure for a recommended disposition.

On September 15, 2006, Magistrate Judge Hopkins filed a Report and Recommendation. [DE# 40]. On October 25, 2006, this court granted the *pro se* defendant Gallo's motion to continue the deadline for filing objections to the Magistrate Judge's Report and Recommendation, extending the time for filing objections up through November 6, 2006. [DE# 41]. As of this date, however, no party has filed any objections to the Report and Recommendation of the Magistrate Judge.

Having carefully reviewed the Magistrate Judge's Report and Recommendation, the court deems the resolution of the civil penalty issues as recommended by Magistrate Judge Hopkins to be sound and well-reasoned, and shall accordingly adopt those recommendations here.

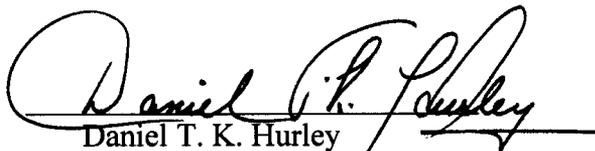
It is therefore **ORDERED** and **ADJUDGED**:

1. Magistrate Judge Hopkins' Report and Recommendation on plaintiff's motion to set civil penalties [DE # 40] is **ADOPTED** and **INCORPORATED** in full.
2. The plaintiff's motion to set civil penalties [DE # 34-1, 35-1 ] against defendants Lawrence Gallo and Douglas Rasberry is **GRANTED**.
3. The defendant **LAWRENCE GALLO** is liable for a one time, third tier civil penalty in the amount of \$110,000.00 as a result of the conduct alleged in the Commission's Complaint, payable by U.S. postal money order, certified check, bank cashier check or bank money order made payable to the Securities and Exchange Commission, which shall be directed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria Virginia 22312, under cover of letter identifying **GALLO** as a defendant in this action. The cover letter shall reference this action by full case style and number, and shall specify that payment is made pursuant to Final Judgment entered in this action. Defendant shall simultaneously transmit a photocopy of such payment in a letter to the SEC's counsel in this action.
4. The defendant **DOUGLAS RASBERRY** is liable for a one time, third tier civil penalty in the amount of \$110,000.00 as result of the conduct alleged in the Commission's Complaint, payable by U.S. postal money order, certified check, bank cashier check or bank money order made payable to the Securities and Exchange Commission, which shall be directed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria Virginia 22312, under cover of letter identifying **RASBERRY** as a defendant in this action. The cover letter shall reference this action by full case style and number, and shall specify that payment is made pursuant to Final Judgment entered in this action. Defendant shall simultaneously transmit a photocopy of such payment in a letter to the SEC's counsel in this action

Case No.: 02-80770-CIV-HURLEY  
Order Adopting Magistrate's Report and Recommendation

5. The court shall retain jurisdiction for purposes of enforcing this final judgment of civil penalty, as well as all prior orders of permanent injunction, disgorgement and civil penalties entered in this cause.

**DONE** and **SIGNED** in Chambers at West Palm Beach, Florida this <sup>28</sup>~~29~~ day of  
November, 2006.

  
Daniel T. K. Hurley  
United States District Judge

Copies to:

United States Magistrate Judge James Hopkins

Christopher Martin, Esq. (SEC)

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