

ORIGINAL

1 HELANE L. MORRISON (State Bar No. 127752)
2 ROBERT MITCHELL (State Bar No. 161354)
2 KATHLEEN K. BISACCIA (State Bar No. 157324)

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4 Attorneys for Plaintiff
4 SECURITIES AND EXCHANGE COMMISSION
5 44 Montgomery Street, Suite 1100
5 San Francisco, California 94104
6 Telephone: (415) 705-2500
6 Facsimile: (415) 705-2501

FILED

OCT 17 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

7 LODGED

8 UNITED STATES DISTRICT COURT

9 OCT 15 2003

EASTERN DISTRICT OF CALIFORNIA

10 CLERK, U.S. DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 DEPUTY CLERK

SACRAMENTO DIVISION

File by FAX

12 SECURITIES AND EXCHANGE COMMISSION, | Civil Action No.
13 Plaintiff, | CIV.S-03-2169 MCE PAN
14 vs. |
15 JOEL M. HARRIS and ANNE H. LONG, | [PROPOSED] FINAL JUDGMENT OF
16 Defendants. | PERMANENT INJUNCTION AND OTHER
17 | RELIEF AGAINST DEFENDANT ANNE H.
18 | LONG

19 Plaintiff United States Securities and Exchange Commission ("Commission") has filed
20 its Complaint for Permanent Injunction and Legal and Other Equitable Relief ("Complaint") in this
21 action. Defendant Anne H. Long ("Long"), who was represented by her counsel, has submitted a
22 Consent of Anne H. Long to Entry of Final Judgment ("Consent"), which was filed simultaneously
23 with this [Proposed] Final Judgment of Permanent Injunction and Other Relief Against Defendant
24 Anne H. Long ("Final Judgment") and incorporated herein by reference. In the Consent, without
25 admitting or denying any of the allegations in the Complaint except as set forth in the Consent, Long
26 acknowledged service of the Summons and the Complaint upon her, admitted the jurisdiction of this
27 Court over her and over the subject matter of this action, admitted that she was fully advised and
28 informed of the right to a judicial determination of this matter, waived findings of fact and

[Proposed] Final Judgment of Permanent Injunction
and Other Relief Against Anne H. Long

1 conclusions of law as provided by Rule 52 of the Federal Rules of Civil Procedure, consented to the
2 entry of this Final Judgment, and waived notice of hearing upon the entry of this Final Judgment.
3 The Court, being fully advised in the premises, orders as follows.

4 I.

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant Long, her agents,
6 servants, employees, attorneys, assigns, and all persons in active concert or participation with them
7 who receive actual notice of this order by personal service or otherwise, and each of them, are
8 permanently enjoined and restrained from violating Sections 13(b)(5) of the Securities Exchange Act
9 of 1934 ("Exchange Act") [15 U.S.C. § 78m(b)(5)] and Rules 13b2-1 and 13b2-2 thereunder [17
10 C.F.R. §§ 240.13b2-1 and 240.13b2-2] by, directly or indirectly, knowingly circumventing or failing
11 to implement a system of internal accounting controls or knowingly falsifying any book, record, or
12 account described therein, or, while an officer or director of an issuer, making or causing to be made
13 a materially false or misleading statement, or omitting or cause another person to omit to state any
14 material fact necessary in order to make statements made not misleading to an accountant in
15 connection with an audit or examination of financial statements of the issuer or the preparation or
16 filing of a report or document required to be filed with the Commission.

17 II.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Long, her agents,
19 servants, employees, attorneys, assigns, and all persons in active concert or participation with them who
20 receive actual notice of this order by personal service or otherwise are permanently restrained and
21 enjoined from violating, directly or indirectly, Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)]
22 and Rules 12b-20 and 13a-13 [17 C.F.R. §§ 240.12b-20 and 240.13a-13], by causing any issuer that has
23 securities registered pursuant to Section 12 of the Exchange Act or which is required to file annual
24 reports pursuant to Section 13 of the Exchange Act, to file with the Commission quarterly reports on
25 Forms 10-Q that contain untrue statements of material fact or omit to state material information
26 required to be stated therein or necessary in order to make the required statements made, in light of the
27 circumstances under which they were made, not misleading.

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III.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Long, her
3 agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with
4 them who receive actual notice of this Final Judgment by personal service or otherwise are
5 permanently restrained and enjoined from, directly or indirectly, knowingly providing substantial
6 assistance to another person in violation of Section 13(b)(2)(A) of the Exchange Act [15 U.S.C. §
7 78m(b)(2)(A)], by causing any issuer which has a class of securities registered pursuant to Section 12
8 of the Exchange Act [15 U.S.C. §78l] or Section 15(d) of the Exchange Act [15 U.S.C. § 78o] to fail
9 to make and keep books, records, or accounts, which, in reasonable detail, accurately and fairly
10 reflect the transactions and dispositions of the assets of the issuer.

IV.

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Long shall pay a civil
13 penalty in the amount of \$35,000.00 pursuant to the provisions of Section 21(d)(3) of the Exchange
14 Act [15 U.S.C. § 78(u)(d)(3)]. Defendant shall make this payment within ten business days after
15 entry of this Final Judgment. Payment shall be made by certified check, bank cashier's check, or
16 United States postal money order payable to the Securities and Exchange Commission. The payment
17 shall be delivered or mailed to the Office of Financial Management, Securities and Exchange
18 Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia
19 22312, and shall be accompanied by a letter identifying Anne H. Long as a defendant in this action;
20 setting forth the title and civil action number of this action and the name of this Court; and specifying
21 that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies
22 of such payment and letter to the attention of Helane Morrison, District Administrator, at the
23 Commission's San Francisco District Office, 44 Montgomery Street, Suite 1100, San Francisco, CA
24 94104.

1 V.
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3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions of Long's
4 Consent filed concurrently with this Judgment are incorporated by this reference, that Long shall
5 comply with the Consent and that a breach of the terms of the Consent therefore shall constitute a
failure to adhere to the terms of this Final Judgment.

6 VI.
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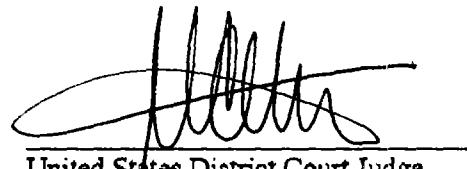
8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain
9 jurisdiction over this action for all purposes, including to implement and enforce the terms of this
10 Judgment and other orders and decrees which may be entered, and to grant such other relief as this
Court may deem necessary and just.

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14 Dated: October 16, 2003



United States District Court Judge

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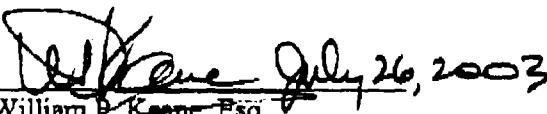
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19 APPROVED AS TO FORM:

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22  William P. Keane, Esq.

23 Farella Braun + Martel LLP

24 Russ Building

25 235 Montgomery Street

26 San Francisco, CA 94104

27 415-954-4908

28 Counsel for Defendant Anne H. Long

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United States District Court
for the
Eastern District of California
October 17, 2003

* * CERTIFICATE OF SERVICE * *

2:03-cv-02169

Securities and Excha

v.

Harris

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on October 17, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Kathleen K Bisaccia
NOT EDCA ADMITTED
Securities and Exchange Commission
44 Montgomery Street, Suite 1100
San Francisco, CA 94104

AS/MCE

Robert Charles Friese
Shartsis Friese and Ginsburg
One Maritime Plaza, 18th Floor
San Francisco, CA 94111

William P Keane
Farella Braun and Martel
235 Montgomery Street, Suite 3000
San Francisco, CA 94104

Jack L. Wagner, Clerk

BY: 
Deputy Clerk