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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**
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12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 ADVANCE BODY IMAGING, LP;
17 CONSULTING DYNAMICS, INC.; and
18 STANLEY JOHNSON,

19 Defendants,

20 and

21 EASTER TURNIPSEED-JOHNSON,

22 Relief Defendant.
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Case No.: SACV 07-1140-DOC (JTLx)

**REVISED FINAL JUDGMENT OF
PERMANENT INJUNCTION,
DISGORGEMENT, PREJUDGMENT
INTEREST AND CIVIL PENALTIES
AGAINST DEFENDANTS ADVANCE
BODY IMAGING, LP, CONSULTING
DYNAMICS, INC., AND STANLEY
JOHNSON AND RELIEF DEFENDANT
EASTER TURNIPSEED-JOHNSON**

Original Hearing

Date: December 15, 2008

Time: 8:30 a.m.

Place: Courtroom 9 D
Ronald Reagan Federal
Bldg. & Courthouse
411 West 4th Street
Santa Ana, CA 92701

1 Plaintiff, Securities and Exchange Commission (“Commission”), moved,
2 pursuant to Rule 56, Fed. R. Civ. P., for Summary Judgment in favor of the
3 Commission and against Defendants Advance Body Imaging, L.P. (“ABI”),
4 Consulting Dynamics, Inc. (“Consulting Dynamics”), and Stanley Johnson
5 (“Johnson”) (collectively, the “Defendants”) and against Relief Defendant Easter
6 Turnipseed-Johnson (“Turnipseed-Johnson”).

7 On March 18, 2009, this Court entered an Order Granting Motion for
8 Summary Judgment. (Docket No. 47.) The Court directed that the Commission
9 provide further briefing on the issue of calculation of civil penalties. On April 9,
10 2009, this Court entered further an Order Clarifying Summary Judgment as to Civil
11 Penalties and Disgorgement. (Docket No. 50.)

12 This Court now enters its Final Judgment in this matter based upon its
13 March 18, 2009 and April 9, 2009 Decisions and Orders.

14 **I.**

15 IT IS HEREBY ORDERED that the Commission’s Motion for Summary
16 Judgment against Defendants ABI, Consulting Dynamics, and Johnson and against
17 Relief Defendant Turnipseed-Johnson is GRANTED.

18 **II.**

19 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
20 that ABI, Consulting Dynamics, and Johnson and their agents, servants,
21 employees, attorneys, and all persons in active concert or participation with them
22 who receive actual notice of this Final Judgment by personal service or otherwise
23 are permanently restrained and enjoined from violating Section 5 of the Securities
24 Act of 1933 (“Securities Act”), 15 U.S.C. § 77e, by, directly or indirectly, in the
25 absence of any applicable exemption:

- 26 (a) Unless a registration statement is in effect as to a security, making use
27 of any means or instruments of transportation or communication in
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1 interstate commerce or of the mails to sell such security through the
2 use or medium of any prospectus or otherwise;

3 (b) Unless a registration statement is in effect as to a security, carrying or
4 causing to be carried through the mails or in interstate commerce, by
5 any means or instruments of transportation, any such security for the
6 purpose of sale or for delivery after sale; or

7 (c) Making use of any means or instruments of transportation or
8 communication in interstate commerce or of the mails to offer to sell
9 or offer to buy through the use or medium of any prospectus or
10 otherwise any security, unless a registration statement has been filed
11 with the Commission as to such security, or while the registration
12 statement is the subject of a refusal order or stop order or (prior to the
13 effective date of the registration statement) any public proceeding or
14 examination under Section 8 of the Securities Act, 15 U.S.C. § 77h.

15 **III.**

16 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
17 that ABI, Consulting Dynamics, and Johnson and their agents, servants,
18 employees, attorneys, and all persons in active concert or participation with them
19 who receive actual notice of this Final Judgment by personal service or otherwise
20 are permanently restrained and enjoined from violating Section 17(a) of the
21 Securities Act, 15 U.S.C. § 77q(a), in the offer or sale of any security by the use of
22 any means or instruments of transportation or communication in interstate
23 commerce or by use of the mails, directly or indirectly:

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

25 (b) to obtain money or property by means of any untrue statement of a
26 material fact or any omission of a material fact necessary in order to
27 make the statements made, in light of the circumstances under which
28 they were made, not misleading; or

- 1 (c) to engage in any transaction, practice, or course of business which
2 operates or would operate as a fraud or deceit upon the purchaser.

3 **IV.**

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
5 that ABI, Consulting Dynamics, and Johnson and their agents, servants,
6 employees, attorneys, and all persons in active concert or participation with them
7 who receive actual notice of this Final Judgment by personal service or otherwise
8 are permanently restrained and enjoined from violating, directly or indirectly,
9 Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15
10 U.S.C. § 78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5,
11 by using any means or instrumentality of interstate commerce, or of the mails, or
12 of any facility of any national securities exchange, in connection with the purchase
13 or sale of any security:

- 14 (a) to employ any device, scheme, or artifice to defraud;
15 (b) to make any untrue statement of a material fact or to omit to state a
16 material fact necessary in order to make the statements made, in the
17 light of the circumstances under which they were made, not
18 misleading; or
19 (c) to engage in any act, practice, or course of business which operates or
20 would operate as a fraud or deceit upon any person.

21 **V.**

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
23 that Consulting Dynamics and Johnson and their agents, servants, employees,
24 attorneys, and all persons in active concert or participation with them who receive
25 actual notice of this Final Judgment by personal service or otherwise are
26 permanently restrained and enjoined from violating Section 15(a) of the Exchange
27 Act, 15 U.S.C. § 78o(a), by, directly or indirectly, in the absence of any applicable
28 exemption, engaging in the business of a broker or a dealer by making use of the

1 mails or any means or instrumentality of interstate commerce to induce the
2 purchase or sale of any security (in the absence of an applicable exemption),
3 without being associated with a broker-dealer that has been registered with the
4 Commission.

5 **VI.**

6 IT IS FURTHER ORDERED that ABI and Consulting Dynamics shall be
7 jointly and severally liable for disgorgement of \$3,154,023.92, representing
8 proceeds gained as a result of the conduct alleged in the Complaint, together with
9 prejudgment interest thereon in the amount of \$158,840.51.

10 Consulting Dynamics shall also pay a third-tier civil penalty in the amount
11 of \$650,000.00 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d),
12 and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3).

13 ABI and Consulting Dynamics shall receive a credit for any sums paid by
14 each other or by Johnson or Turnipseed-Johnson on their disgorgement and/or
15 prejudgment interest obligations. ABI shall satisfy its obligation by payment
16 within eleven (11) business days after entry of this Final Judgment by certified
17 check, bank cashier's check, or United States Postal money order payable to the
18 Securities and Exchange Commission. Consulting Dynamics shall satisfy its
19 obligation by payment within eleven (11) business days after entry of this Final
20 Judgment by certified check, bank cashier's check, or United States Postal money
21 order payable to the Securities and Exchange Commission. The payments shall be
22 delivered or mailed to the Office of Financial Management, Securities and
23 Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop
24 O-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying
25 ABI or Consulting Dynamics as Defendants in this action, setting forth the title and
26 civil action number of this action and the name of this Court, and specifying that
27 payment is made pursuant to this Final Judgment and on whose behalf the payment
28 is made. ABI and Consulting Dynamics shall pay post-judgment interest on any

1 delinquent amounts pursuant to 28 U.S.C. § 1961. ABI and Consulting Dynamics
2 shall simultaneously transmit photocopies of such payment and letter to the
3 Commission's counsel in this action.

4 **VII.**

5 IT IS FURTHER ORDERED that Johnson shall be liable for disgorgement
6 of \$521,259.23, representing funds diverted for his benefit as a result of the
7 conduct alleged in the Complaint, together with prejudgment interest thereon in the
8 amount of \$26,251.25. ABI and Consulting Dynamics are also jointly and
9 severally liable for these amounts.

10 Johnson shall also pay a third-tier civil penalty in the amount of \$130,000.00
11 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section
12 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3).

13 Johnson shall receive a credit for any sums paid by ABI and/or Consulting
14 Dynamics and/or by Relief Defendant Turnipseed-Johnson on their disgorgement
15 and/or prejudgment interest obligations up to the amounts owed by Johnson. Any
16 sum paid by Turnipseed-Johnson shall decrease the total amount owed by Johnson,
17 ABI and Consulting Dynamics. Any sum paid by Johnson shall decrease the total
18 amount owed by ABI, Consulting Dynamics and Turnipseed-Johnson. Johnson
19 shall satisfy this obligation by payment within eleven (11) business days after entry
20 of this Final Judgment by payment by certified check, bank cashier's check, or
21 United States Postal money order payable to the Securities and Exchange
22 Commission. The payment shall be delivered or mailed to the Office of Financial
23 Management, Securities and Exchange Commission, Operations Center, 6432
24 General Green Way, Mail Stop O-3, Alexandria, Virginia 22312, and shall be
25 accompanied by a letter identifying Johnson as a Defendant in this action, setting
26 forth the title and civil action number of this action and the name of this Court, and
27 specifying that payment is made pursuant to this Final Judgment. Johnson shall
28 pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. §

1 1961. Johnson shall simultaneously transmit photocopies of such payment and
2 letter to the Commission's counsel in this action.

3 **VIII.**

4 IT IS FURTHER ORDERED that Turnipseed-Johnson shall be liable for
5 disgorgement of \$449,100.00, representing funds diverted for her benefit as a
6 result of the conduct alleged in the Complaint, together with prejudgment interest
7 thereon in the amount of \$22,617.23. ABI, Consulting Dynamics and Johnson are
8 also jointly and severally liable with Turnipseed-Johnson for these amounts.
9 Turnipseed-Johnson shall receive a credit for any sums paid by ABI and/or
10 Consulting Dynamics and/or Johnson on their disgorgement and/or prejudgment
11 interest obligations up to the amounts owed by Turnipseed-Johnson. Turnipseed-
12 Johnson shall satisfy this obligation by payment within eleven (11) business days
13 after entry of this Final Judgment by certified check, bank cashier's check, or
14 United States Postal money order payable to the Securities and Exchange
15 Commission. The payment shall be delivered or mailed to the Office of Financial
16 Management, Securities and Exchange Commission, Operations Center, 6432
17 General Green Way, Mail Stop O-3, Alexandria, Virginia 22312, and shall be
18 accompanied by a letter identifying Turnipseed-Johnson as a Relief Defendant in
19 this action, setting forth the title and civil action number of this action and the
20 name of this Court, and specifying that payment is made pursuant to this Final
21 Judgment. Turnipseed-Johnson shall pay post-judgment interest on any delinquent
22 amounts pursuant to 28 U.S.C. § 1961. Turnipseed-Johnson shall simultaneously
23 transmit photocopies of such payment and letter to the Commission's counsel in
24 this action.

25 **IX.**

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
27 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
28 of this Final Judgment and all orders and decrees which have been entered or may

1 be entered herein, and to grant such other relief as the Court may deem necessary
2 and just.

3 X.

4 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
5 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment
6 forthwith and without further notice.

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8 Dated: May 15, 2009

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10 _____
11 David O. Carter
12 UNITED STATES DISTRICT JUDGE
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14 Presented by:

15 _____
16 Gregory C. Glynn
17 Peter F. Del Greco
18 Attorneys for Plaintiff
19 Securities and Exchange Commission
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