

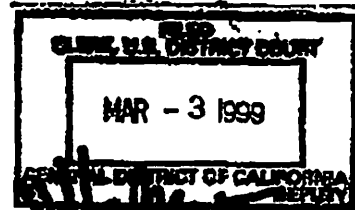
1 Sandra J. Harris, Esq. State Bar No. 134153
2 Gregory C. Glynn, Esq. State Bar No. 039999

Rev. of 1/13/98

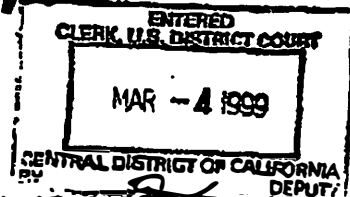
3 Attorneys for Plaintiff
4 Securities and Exchange Commission
5 Valerie Caproni, Regional Director
6 5670 Wilshire Boulevard, 11th Floor
7 Los Angeles, CA 90036

8 Telephone: (213) 965-3998
9 Telex: (213) 965-3912

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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION



13 SECURITIES AND EXCHANGE COMMISSION, :

Case No. CV 97-9150 CAS
(CTx)

14 Plaintiff :

[PROPOSED]
FINAL JUDGMENT OF
PERMANENT INJUNCTION AND
OTHER RELIEF AGAINST
DEFENDANT THOMAS J.
PERKINS

15 v. :

16 MICROWEST INDUSTRIES, INC.,
17 MICROWEST INCOME FUND,
18 MICROWEST MICROSYSTEMS, INC.,
19 STEVEN P. HEVELL,
20 JOSEPH G. OBEY,
21 ALLAN E. MATZAT,
22 ELLSWORTH L. BROUILLETTE,
NEAL C. Perkins,
DWIGHT H. STEPHENS,
JIM D. JAMES,
BLAKE T. WARD,
THOMAS J. PERKINS, and
ANTHONY F. MOSS,

23 Defendants. :

24
25 Whereas:

26 1. On January 15, 1999 the Plaintiff Securities and

27 Exchange Commission filed and served upon Defendant THOMAS J.

28 D COPY PTYS

29 MLD NOTICE PTYS

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ENTERED ON ICMS

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1 PERKINS ("Perkins") its Motion for Summary Judgment pursuant to
2 Rule 56, Fed.R.Civ.P.

3 2. The Court, having considered the Commission's Motion for
4 Summary Judgment, the Statement of Uncontroverted Facts and
5 Conclusions of Law, the Memorandum of Points and Authorities, the
6 Declaration of Gregory C. Glynn filed in support of the Motion,
7 including Exhibits filed in Three Volumes, and all other
8 evidence, Memoranda and arguments presented in favor of and in
9 opposition to the Commission's Motion;

10 NOW THEREFORE,

11 I.

12 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
13 Commission's Motion for Summary Judgment is hereby GRANTED.

14 II.

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
16 Perkins, and his agents, servants, employees, and attorneys, and
17 all persons in active concert or participation with any of them,
18 who receive actual notice of this Final Judgment by personal
19 service or otherwise, and each of them, are permanently
20 restrained and enjoined from, directly or indirectly:

21 A. making use of any means or instruments of
22 transportation or communication in interstate commerce
23 or of the mails to sell the securities of any issuer,
24 through the use or medium of any prospectus or
25 otherwise, unless and until a registration is in effect
26 as to such securities;

27 B. carrying or causing to be carried through the mails or
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1 in interstate commerce, by any means or instruments of
2 transportation, for the purpose of sale or for delivery
3 after sale, the securities of any issuer, unless and
4 until a registration statement is in effect as to such
5 securities; and

6 C. making use of any means or instruments of
7 transportation or communication in interstate commerce
8 or of the mails to offer to sell or offer to buy,
9 through the use or medium of any prospectus or
10 otherwise, the securities of any issuer, unless and
11 until a registration statement has been filed with the
12 Commission as to such securities, or while a
13 registration statement as to such securities is the
14 subject of a refusal order or stop order or (prior to
15 the effective date of the registration statement) any
16 public proceeding or examination under Section 8 of the
17 Securities Act of 1933 [15 U.S.C. § 77h];

18 in violation of Sections 5(a) and 5(c) of the Securities Act of
19 1933 ("Securities Act") [15 U.S.C. §§ 77e(a) & 77e(c)].

20 III.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
22 Perkins and his agents, servants, employees, and attorneys, and
23 all persons in active concert or participation with any of them,
24 who receive actual notice of this Final Judgment by personal
25 service or otherwise, and each of them, are permanently
26 restrained and enjoined from, directly or indirectly, making use
27 of the mails or any means or instrumentality of interstate
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1 commerce to effect any transaction in, or to induce or attempt to
2 induce the purchase or sale of, any security (other than an
3 exempted security or commercial paper, bankers' acceptances, or
4 commercial bills) unless and until becoming registered in
5 accordance with Section 15(b) of the Exchange Act [15 U.S.C.
6 § 78o(b)] in violation of Section 15(a)(1) of the Exchange Act
7 [15 U.S.C. § 78o(a)(1)].

8 IV.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
10 Perkins be assessed and shall pay to the Commission for delivery
11 to the United States Treasury, a civil penalty under the
12 Securities Enforcement Remedies and Penny Stock Reform Act of
13 1990 pursuant to Sections 20(d)(1) and 20(d)(2) of the Securities
14 Act [15 U.S.C. §§ 77t(d)(1) and 77t(d)(2)] and Section 21(d)(3)
15 of the Exchange Act [15 U.S.C. § 78u(d)(3)] in the amount of
16 \$5,500.00. This penalty shall be paid within thirty (30) days
17 of the entry of this Final Judgment. This civil money penalty:
18 (1) shall be paid by United States Postal Money Order, Certified
19 Check, bank cashier's check or bank money order; (2) shall be
20 made payable to the United States Treasury; (3) shall be hand-
21 delivered or Mailed to the Comptroller, Securities and Exchange
22 Commission, Operations Center, 6432 General Green Way, Stop 0-3,
23 Alexandria, VA 22312, and (4) shall be submitted under a cover
24 letter that identifies Perkins as a Defendant in these
25 proceedings, and states the file number of these proceedings, A
26 copy of this cover letter and a photocopy of the money order or
27 check shall be sent to Trial Counsel for the Commission at the
28

1 Pacific Regional Office, Securities and Exchange Commission 5670
2 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036.


3 V.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
5 shall retain jurisdiction over this action to determine the
6 liability of any remaining defendants in this action, to
7 implement and to enforce the terms of this Final Judgment and all
8 other orders and decrees that may be entered herein, and to grant
9 such other relief as the Court may deem necessary and just.

10 * * * * *

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

14
15 DATED: 3-2-99

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18 CHRISTINA A. SNYDER, JUDGE
19 UNITED STATES DISTRICT COURT
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21 CAMCROVESTVLEADINOFERISUNDJDO
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