

IT IS ORDERED, ADJUDGED, and DECREED that Plaintiff Securities and Exchange Commission have and recover of and from:

(1) Defendants Robert Cord a/k/a Robert Franklin Schoonover, Jr. and Winterhawk West Indies, Ltd., jointly and severally, the principal amount of \$6,290,980.00, together with prejudgment interest in the amount of \$2,287,206.95, and post-judgment interest at the rate of 4.07% until paid;

(2) Defendants Funders Marketing Company, Inc. and FMCI Trust, jointly and severally, the principal amount of \$8,174,332.24, together with prejudgment interest in the amount of \$1,987,030.25, and post-judgment interest at the rate of 4.07% until paid;

(3) Defendants Earl McKinney and Fortune Investments, Ltd., jointly and severally, the principal amount of \$3,432,621.34, together with prejudgment interest in the amount of \$925,288.51, and post-judgment interest at the rate of 4.07% until paid; and

(4) Relief Defendant Treds Financial Trust the principal amount of \$966,183.70, together with post-judgment interest at the rate of 4.07% until paid.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendants Robert Cord a/k/a Robert Franklin Schoonover, Jr., Winterhawk West Indies, Ltd., Funders Marketing Company, Inc., FMCI Trust, Earl McKinney and Fortune Investments, Ltd., their directors, officers, managers, agents, employees servants, attorneys, and all persons in active concert or participation with them who receive actual notice of this judgment, by personal service or otherwise, are hereby enjoined and restrained from:

(1) violating Section 5(a) and (c) of the Securities Act of 1933, 15 U.S.C. § 77e(a) & (c), by, directly or indirectly:

(A) making use of any means or instrument of transportation or communication in interstate commerce or of the mails to sell a security through the use or medium of any prospectus or otherwise, or

(B) carrying or causing to be carried through the mails or in interstate commerce, by any means or instrument of transportation, a security for the purpose of sale or for delivery after a sale,

unless a registration statement is in effect as to that security; or by, directly or indirectly, making use of any means or instrument of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security unless a registration statement has been filed with the Securities and Exchange Commission as to that security or while the registration statement is the subject of a refusal order or a stop order or, prior to the effective date of the registration statement, any public proceeding or examination under Section 8 of the Securities Act of 1944, 15 U.S.C. § 77h;

(2) violating Section 17(a) of the Securities Act of 1933, 15 U.S.C. § 77q(a), by, directly or indirectly, in any way in connection with the offer or sale of any security by the use of any means or instrument of transportation or communication in interstate commerce or by the use of the mails, directly or indirectly:

(A) employing any device, scheme, or artifice to defraud, or

(B) obtaining money or property by means of any untrue statement of material fact, or omission to state 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) engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser, including, but not limited to, the offer and/or sale of an investment in a "prime bank" trading program and/or the unfounded promise or representation that repayment of monies previously invested in a "prime bank" trading program is likely to be made;

(3) violating Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. § 78j(b), by, directly or indirectly, by the use of any means or instrumentality of interstate commerce, of the mails, or of any facility of any national securities exchange, using or employing in connection with the purchase or sale of any security registered on a national securities exchange, or any security not so registered, any manipulative or deceptive device or contrivance in contravention of a rule or regulation prescribed by the Securities and Exchange Commission; and/or

(4) violating Rule 10b-5 of the Securities and Exchange Commission, 17 C.F.R. § 240.10b-5, by, directly or indirectly, by the use of any means or instrumentality of interstate commerce, of the mails, or of any facility of any national securities exchange:

(A) employing any device, scheme, or artifice to defraud, or

(B) making any untrue statement of material fact, or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, or

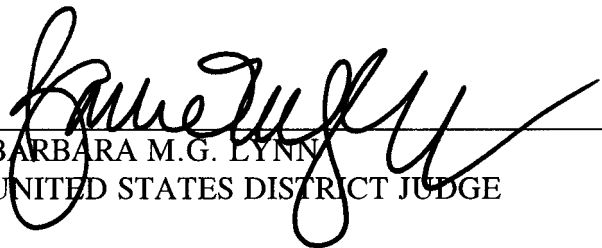
(C) engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon any person, including, but not limited to, the offer and/or sale of an investment in a "prime bank" trading program and/or the unfounded promise or representation that repayment of monies previously

invested in a "prime bank" trading program is likely to be made.

The Court declines to assess civil penalties against the defendants.

The Court finds that there is no just reason for delay and directs the district clerk to enter a final judgment against the defendants in accordance with Rule 54(b) of the Federal Rules of Civil Procedure.

DATED: ^{May 15} ~~May 15~~, 2001.



BARBARA M.G. LYNN
UNITED STATES DISTRICT JUDGE