

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

**FINAL ORDER OF PERMANENT INJUNCTION AND OTHER
RELIEF AS TO DEFENDANTS CBT-OHIO, LTD. AND ANDREW P. BODNAR**

Plaintiff Securities and Exchange Commission ("Commission"), having moved for judgment by default and entry of an order of permanent injunction and other relief against defendants CBT-Ohio ("CBT") and Andrew P. Bodnar ("Bodnar"); and

It further appearing that there is no just reason for delay and there is sufficient basis
herein for the entry of this Final Order:

IT IS HEREBY ORDERED THAT:

1. Plaintiff Commission's motion is hereby granted, and judgment by default is hereby entered against defendants CBT and Bodnar.
2. Defendants CBT and Bodnar, their agents, officers, servants, employees, attorneys, and those persons in active concert or participation with them, and each of them, who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from, in the offer or sale of any securities or any security-based swap agreement, using any means or instruments of transportation or communication in interstate commerce, or the

mails, directly or indirectly, singly or in concert, to:

- (a) employ any device, scheme or artifice to defraud; or
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser,

in violation of Section 17(a) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77q(a);

3. Defendants CBT and Bodnar, their agents, officers, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from, directly or indirectly, singly or in concert, in connection with the purchase or sale of any security, using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, to:

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

in violation of Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. 78j(b), and Rule 10b-5, 17 C.F.R. 240.10b-5 thereunder;

4. Defendants CBT and Bodnar, their agents, officers, servants, employees, attorneys, and those persons in active concert or participation with them, and each of them, who receive actual notice of this Final Order by personal service or otherwise, are permanently enjoined from, directly or indirectly, singly or in concert:

(a) to use any means or instruments of transportation or communication in interstate commerce or of the mails to sell any security through the use or medium of any prospectus or otherwise, or to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any security for the purpose of sale or delivery after sale, unless and until a registration statement has been filed with the Commission and is in effect, or unless a valid exemption from registration is available; or

(b) to use of any means or instruments 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 and until a registration statement has been filed with the Commission with respect to such security or unless a valid exemption from registration is available;

in violation of Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. 77e(a) and 77e(c).

5. Defendant Bodnar, his successors, agents, servants, employees, attorneys, and those persons in active concert or participation with them, and each of them, who receive actual notice of this Final Order by personal service or otherwise, are permanently enjoined from, directly or indirectly, singly or in concert, using the mails or any means or instrumentality of interstate commerce to violate Section 15(a)(1) of the Exchange Act, 15 U.S.C. 78o(a)(1), by effecting any transactions in, or inducing or attempting to induce the purchase or sale of any security, unless registered with the Commission in accordance with Section 15(b) of the Exchange Act, 15

U.S.C. 78o(b).

6. Defendant Bodnar is assessed and shall pay a third-tier civil penalty under Section 20(d) of the Securities Act, 15 U.S.C. 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. 78u(d)(3), as modified by the Debt Collection Improvement Act of 1996, 61 FR 57773 (11/8/96), in the amount of \$110,000. The Court hereby orders payment by Bodnar of \$110,000 by cashiers or certified check payable to the "Securities and Exchange Commission," within thirty (30) days of the entry of this Order. Such payment shall be transmitted to the Comptroller, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549, under cover of a letter that identifies Andrew Bodnar, the caption and case number of this action and the name of this Court. Copies of the check and the accompanying cover letter shall be simultaneously transmitted to Ronald C. Long, District Administrator, Securities and Exchange Commission, Philadelphia District Office, 601 Walnut Street, Suite 1120 E., Philadelphia, PA 19106.

This Court shall retain jurisdiction of this action for the purpose of implementing and enforcing the terms and conditions of this Order.

Dated: *April 16, 2002*



DAN A. POLSTER
UNITED STATES DISTRICT JUDGE