UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-81453-CIV-ZLOCH

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

CONSENT FINAL JUDGMENT AND PERMANENT INJUNCTION AS TO DEFENDANT MICHAEL WEIDGANS

3001 AD, LLC,
JIMMY L. BARKER
ROBERT J. LADRACH,
MARC S. RIFKIN,
RONALD B. BOWSKY,
JACK MADDOCK, and
MICHAEL WEIDGANS,

Defendants.

_____/

THIS MATTER is before the Court upon the Plaintiff Securities and Exchange Commission's Notice Of Filing Consent Of Defendant Michael Weidgans And Request For Entry Of Judgment Of Permanent Injunction And Other Relief (DE 25), which the Court construes as a Motion For Consent Final Judgment And Permanent Injunction. The Court has carefully reviewed said Motion, the entire court file and is otherwise fully advised in the premises.

Plaintiff Securities and Exchange Commission commenced this action by filing its Complaint (DE 1) against, among others, Defendant Michael Weidgans. In its Complaint, the Commission sought, among other relief against Weidgans, a permanent injunction to prohibit violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. §§ 77e(a), 77e(c), and 77q(a)], and Sections 10(b) and 15(a)(1),

and Rule 10b-5 of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §§ 78j(b) and 78o(a)(1), and 17 C.F.R. § 240.10b-5]; disgorgement and prejudgment interest; and a civil money penalty pursuant to 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)].

By his Consent Of Defendant Michael Weidgans (DE 25-1), Weidgans has consented to entry of this Consent Final Judgment And Permanent Injunction ("Judgment") without admitting or denying the allegations of the Complaint (except as to jurisdiction), waived findings of fact and conclusions of law, and waived any right to appeal from the Judgment.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED that Plaintiff Security and Exchange Commission's Notice Of Filing Consent Of Defendant Michael Weidgans And Request For Entry Of Judgment Of Permanent Injunction And Other Relief (DE 25), which the Court construes as a Motion For Consent Final Judgment And Permanent Injunction, be and the same hereby is **GRANTED** as follows:

1. Weidgans, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e] by,

directly or indirectly, in the absence of any applicable exemption:

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

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

(c) Making 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 a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h];

2. Weidgans, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal

service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

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

(b) to obtain money or property by means of any untrue statement of a material fact or any omission of 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) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser;

3. Weidgans, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

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

(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;

4. Weidgans, his officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise, are permanently restrained and enjoined from, directly or indirectly, making use of the mails or any means or instrumentality of interstate commerce to effect any transactions in, or to induce or attempt to induce the purchase or sale of, any security, while acting as a broker or dealer engaged in the business of effecting transactions in securities for the account of others without being registered in accordance with Section 15(b) of the Exchange Act [15 U.S.C. § 78o(b)], in violation of Section 15(a)(1) of the Exchange Act [15 U.S.C. § 78o(a)(1)];

5. Pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Weidgans is prohibited from acting as an officer or director of any issuer that has a class of securities

registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 781] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)];

6. The Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission. Prejudgment interest shall be calculated from September 29, 2009, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the Commission's motion for disgorgement and/or civil penalties, and at any hearing held on such a motion: (a) Weidgans will be precluded from arguing that he did not violate the federal securities laws as alleged in the Complaint; (b) Weidgans may not challenge the validity of the Consent or this Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection with the Commission's motion for disgorgement and/or civil penalties, the parties may take discovery, including discovery from appropriate non-parties;

7. The Consent Of Defendant Michael Weidgans (DE 25-1) is incorporated herein with the same force and effect as if fully set forth herein, and Weidgans shall comply with all of the undertakings and agreements set forth therein;

IT IS FURTHER ORDERED AND ADJUDGED that the Court shall retain jurisdiction in this matter for the purposes of enforcing the terms of this Judgment; and

IT IS FURTHER ORDERED AND ADJUDGED that pursuant to Rule 54 (b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

DONE AND ORDERED in Chambers at Ft. Lauderdale, Broward County, Florida, this 16th day of February, 2011.

WILLIAM J. ZLOCH
United States District Judge

Copies furnished:

All Parties and Counsel of Record