

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

Plaintiff

vs.

AGORA, INC., et al.

Defendants

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CIVIL ACTION NO. MJG-03-1042

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AMENDED JUDGMENT ORDER

The Court has issued its Memorandum of Decision [Document 116] and issued a Judgment Order [Document 117] on August 1, 2007 and has, this date, granted in part Plaintiff's Motion for Entry of Amended Final Judgment [Document 119].

In accordance with said actions:

1. Judgment shall be, and hereby is, entered in favor of Plaintiff Securities and Exchange Commission against Defendants Pirate Investor, LLC and Frank Porter Stansberry for violations of Section 10(b) of the Securities and Exchange Act of 1934, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.
2. Judgment shall be, and hereby is, entered in favor of Defendant Agora, Inc. against Plaintiff Securities and Exchange Commission on the charged violations of Section 10(b) of the Securities and Exchange Act of 1934, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.
3. A Permanent Injunction enjoining Defendants Pirate Investor, LLC and Frank Porter Stansberry from actions specified therein shall be issued by separate Order herewith.
4. Defendant Pirate Investor, LLC and Defendant Frank Porter Stansberry are jointly and severally liable for disgorgement of \$1,002,000, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment

interest thereon in the amount of \$310,620.00, for a total of \$1,312,620.00 with judgment interest thereon.

- a. The said Defendants shall pay the aforesaid sum to the Clerk of the Court.
 - b. The Clerk shall deposit the funds into an interest bearing account with the Court Registry Investment System ("CRIS") or any other type of interest bearing account that is utilized by the Court.
 - c. These funds, together with any interest and income earned thereon (collectively, the "Fund"), shall be held by the Clerk pending further Order.
 - d. The Court shall consider the parties' respective positions as to the distribution of said funds to be submitted upon the expiration of time for an appeal from the instant Amended Judgment or any appellate decision thereon.
5. Defendant Pirate Investor, LLC shall pay Plaintiff a civil penalty in the amount of \$120,000 pursuant to 15 U.S.C. §78u(d)(3)(B)(iii) plus judgment interest thereon.
 6. Defendant Frank Porter Stansberry shall pay Plaintiff a civil penalty in the amount of \$120,000 pursuant to 15 U.S.C. §78u(d)(3)(B)(iii) plus judgment interest thereon.
 7. Defendant Pirate Investor, LLC and Defendant Frank Porter Stansberry¹ shall pay all assessable costs of this action.
 8. This Order shall be deemed to be a final judgment within the meaning of Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, on Tuesday, October 2, 2007.

/ s /
Marvin J. Garbis
United States District Judge

¹ The said Defendants are jointly and severally liable for assessable costs.