

1 Frederick L. Block
2 Fredric D. Firestone
3 Gregory G. Faragasso
4 Kurt G. Gresenz
5 Heidi H. Mayor
6 U.S. Securities & Exchange Commission
7 100 F Street, N.E.
8 Washington, DC 20549-4010
9 Tel: (202) 551-4919 (Block)
10 Fax: (202) 772-9245 (Block)
11 Email: *BlockF@sec.gov*

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE DISTRICT OF NEVADA**

14 SECURITIES AND EXCHANGE COMMISSION,

15 Plaintiff,

16 v.

2:07-CV-00506 -LDG/RJJ

17 GERALD HAROLD LEVINE, MARIE A. LEVINE,
18 MARY ANN METZ, DARIN SCOTT METZ, ALAN
19 BRUCE COPELAND, ISAAC BARRETT MORLEY,
20 BRUCE CHET ROTHENBERG and NUSTAR
21 HOLDINGS, INC.,

22 Defendants,

23 and

24 WIRE TO WIRE, INC., PUBLIC HIGHWAY, INC.,
25 THE 1975 TRUST and GLOBAL ENVIRONMENTAL
26 SYSTEMS, INC.,

27 Relief Defendants.
28

AMENDED FINAL JUDGMENT AS TO DEFENDANT ISAAC BARRETT MORLEY

The Securities and Exchange Commission (“Commission”), having filed and served a Complaint on Defendant Isaac Barrett Morley (“Defendant”); having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this 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 this Judgment:

I.

1
2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and his
3 agents, servants, employees, attorneys, and all persons in active concert or participation with them
4 who receive actual notice of this Judgment by personal service or otherwise are permanently
5 restrained and enjoined from violating Sections 5(a) and 5(c) of the Securities Act of 1933 (the
6 “Securities Act”) [15 U.S.C. § 77e(a) & 77e(c)] by, directly or indirectly, in the absence of any
7 applicable exemption:
8

- 9 (a) Unless a registration statement is in effect as to a security, making use of any
10 means or instruments of transportation or communication in interstate commerce or
11 of the mails to sell such security through the use or medium of any prospectus or
12 otherwise;
13
14 (b) Unless a registration statement is in effect as to a security, carrying or causing to be
15 carried through the mails or in interstate commerce, by any means or instruments of
16 transportation, any such security for the purpose of sale or for delivery after sale; or
17
18 (c) Making use of any means or instruments of transportation or communication in
19 interstate commerce or of the mails to offer to sell or offer to buy through the use or
20 medium of any prospectus or otherwise any security, unless a registration statement
21 has been filed with the Commission as to such security, or while the registration
22 statement is the subject of a refusal order or stop order or (prior to the effective date
23 of the registration statement) any public proceeding or examination under Section 8
24 of the Securities Act [15 U.S.C. § 77h].
25

II.

26
27 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
28 and his agents, servants, employees, attorneys, and all persons in active concert or participation

1 with them who receive actual notice of this Judgment by personal service or otherwise are
2 permanently restrained and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C.
3 § 77q(a)] in the offer or sale of any security by the use of any means or instruments of
4 transportation or communication in interstate commerce or by use of the mails, directly or
5 indirectly:

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

7 (b) to obtain money or property by means of any untrue statement of a material fact or
8 any omission of a material fact necessary in order to make the statements made, in light of
9 the circumstances under which they were made, not misleading; or
10

11 (c) to engage in any transaction, practice, or course of business which operates or
12 would operate as a fraud or deceit upon the purchaser.
13

14 **III.**

15 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
16 and his agents, servants, employees, attorneys, and all persons in active concert or participation
17 with them who receive actual notice of this Judgment by personal service or otherwise are
18 permanently restrained and enjoined from violating, or aiding and abetting violations of, directly
19 or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15
20 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any
21 means or instrumentality of interstate commerce, or of the mails, or of any facility of any national
22 securities exchange, in connection with the purchase or sale of any security:
23

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

25 (b) to make any untrue statement of a material fact or to omit to state a material fact
26 necessary in order to make the statements made, in the light of the circumstances
27 under which they were made, not misleading; or
28

1 (c) to engage in any act, practice, or course of business which operates or would
2 operate as a fraud or deceit upon any person.

3 **IV.**

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to
5 Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)] and Section 21(d)(2) of the Exchange Act
6 [15 U.S.C. § 78u(d)(2)], Defendant is permanently barred from acting as an officer or director of
7 any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15
8 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15
9 U.S.C. § 78o(d)].
10

11 **V.**

12 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is
13 liable for disgorgement of \$10,960.00, representing profits gained as a result of the conduct
14 alleged in the Complaint, together with pre-judgment interest thereon in the amount of \$2,075.00,
15 for a total of \$13,035.00. Based on Defendant's sworn representations in his Statement of
16 Financial Condition dated July 11, 2006, as updated February 8, 2007 and August 23, 2007, and
17 other documents and information submitted to the Commission, however, the Court is not ordering
18 Defendant to pay a civil penalty and payment of the disgorgement and pre-judgment interest
19 thereon is waived. Defendant shall also pay post-judgment interest on any delinquent amounts
20 pursuant to 28 U.S.C. § 1961. The determination not to impose a civil penalty and to waive
21 payment of the disgorgement and pre-judgment interest is contingent upon the accuracy and
22 completeness of Defendant's Statement of Financial Condition. If at any time following the entry
23 of this Final Judgment the Commission obtains information indicating that Defendant's
24 representations to the Commission concerning his assets, income, liabilities, or net worth were
25 fraudulent, misleading, inaccurate, or incomplete in any material respect as of the time such
26
27
28

1 representations were made, the Commission may, at its sole discretion and without prior notice to
2 Defendant, petition the Court for an order requiring Defendant to pay the unpaid portion of the
3 disgorgement, pre-judgment and post-judgment interest thereon, and the maximum civil penalty
4 allowable under the law. In connection with any such petition, the only issue shall be whether the
5 financial information provided by Defendant was fraudulent, misleading, inaccurate, or
6 incomplete in any material respect as of the time such representations were made. In its petition,
7 the Commission may move this Court to consider all available remedies, including, but not limited
8 to, ordering Defendant to pay funds or assets, directing the forfeiture of any assets, or sanctions
9 for contempt of this Final Judgment. The Commission may also request additional discovery.
10 Defendant may not, by way of defense to such petition: (1) challenge the validity of the Consent
11 or this Final Judgment; (2) contest the allegations in the Complaint filed by the Commission; (3)
12 assert that payment of disgorgement, pre-judgment and post-judgment interest or a civil penalty
13 should not be ordered; (4) contest the amount of disgorgement and pre-judgment and post-
14 judgment interest; (5) contest the imposition of the maximum civil penalty allowable under the
15 law; or (6) assert any defense to liability or remedy, including, but not limited to, any statute of
16 limitations defense.
17
18

19 VI.

20
21 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
22 and Defendant's agents, servants, employees, attorneys, and all persons in active concert or
23 participation with them who receive actual notice of this Judgment by personal service or
24 otherwise are permanently barred from participating in the offer or sale of any penny stock as that
25 term is defined by Section 3(a)(51) of the Exchange Act [15 U.S.C. § 78c(a)(51)] and Rule 3a-51
26 promulgated thereunder [17 C.F.R. § 240.3a-51].
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VII.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendant is incorporated herein with the same force and effect as if fully set forth herein, that Defendant shall comply with all of the undertakings and agreements set forth therein.

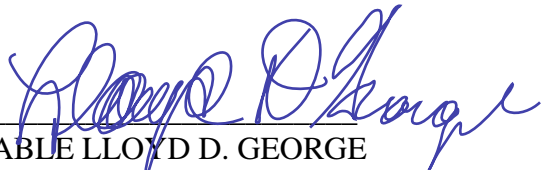
VIII.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this action for all purposes, including implementing and enforcing the terms of this Judgment and all other orders and decrees which have been or may be entered in this case, and granting such other relief as the Court may deem necessary and just.

IX.

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

Dated: 12 Aug, 2008



HONORABLE LLOYD D. GEORGE
UNITED STATES DISTRICT JUDGE