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FILED
CLERK, U.S. DISTRICT COURT
APR 30 2002
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CENTRAL DISTRICT OF CALIFORNIA
DEPUTY
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CLERK, U.S. DISTRICT COURT
MAY 7 2002
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CENTRAL DISTRICT OF CALIFORNIA
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9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

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JS-5/JS-6
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12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 TURBODYNE TECHNOLOGIES, INC.
and EDWARD M. HALIMI,

17 Defendants.

Case No. 02-00673 WJR (Ex)

AMENDED FINAL
JUDGMENT OF
PERMANENT INJUNCTION
AGAINST DEFENDANT
EDWARD M. HALIMI

18 Plaintiff Securities and Exchange Commission ("Commission"),
19 having filed and served upon Defendant Edward M. Halimi ("Halimi") a Summons
20 and Complaint in this matter and Halimi having admitted service upon him of the
21 Summons and Complaint in this action and the jurisdiction of this Court over him
22 and over the subject matter of this action; having been fully advised and informed
23 of his rights to a judicial determination of this matter; having waived the entry of
24 findings of fact and conclusions of law as provided by Rule 52 of the Federal Rules
25 of Civil Procedure; having consented to the entry of this Amended Final Judgment
of Permanent Injunction Against Defendant Edward M. Halimi ("Amended
Judgment") without admitting or denying the allegations in the Complaint, except
as specifically set forth in the Amended Consent of Defendant Edward M. Halimi
to Entry of Judgment of Permanent Injunction ("Amended Consent"); and it

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

1. LODGED

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CENTRAL DISTRICT COURT
LOS ANGELES

Docketed
JS-5/JS-6 Sent
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1 appearing that no notice of hearing upon the entry of this Judgment being
2 necessary; and the Court being fully advised in the premises, and there being no
3 just reason for delay:

4 **I.**

5 IT IS ORDERED, ADJUDGED AND DECREED that Halimi and his
6 agents, servants, employees, and all persons in active concert or participation with
7 any of them, who receive actual notice of this Judgment by personal service or
8 otherwise, and each of them, are permanently restrained and enjoined from,
9 directly or indirectly, in the offer or sale of the securities of any issuer, by the use
10 of any means or instruments of transportation or communication in interstate
11 commerce or by the use of the mails:

- 12 A. employing any device, scheme or artifice to defraud;
- 13 B. obtaining money or property by means of any untrue statement of a
14 material fact or any omission to state a material fact necessary in order
15 to make the statements made, in the light of the circumstances under
16 which they were made, not misleading; or
- 17 C. engaging in any transaction, practice, or course of business which
18 operates or would operate as a fraud or deceit upon the purchaser;
19 in violation of Section 17(a) of the Securities Act of 1933 [15 U.S.C. § 77q(a)].

20 **II.**

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
22 Halimi and his agents, servants, employees, and all persons in active concert or
23 participation with any of them, who receive actual notice of this Amended
24 Judgment by personal service or otherwise, and each of them, are permanently
25 restrained and enjoined from, directly or indirectly, in connection with the purchase
26 or sale of any security, by the use of any means or instrumentality of interstate
27 commerce, or of the mails, or of any facility of any national securities exchange:

- 28 A. employing any device, scheme, or artifice to defraud;

1 B. making any untrue statement of a material fact or omitting to state a
2 material fact necessary in order to make the statements made, in the
3 light of the circumstances under which they were made, not
4 misleading; or

5 C. engaging in any act, practice, or course of business which operates or
6 would operate as a fraud or deceit upon any person;

7 in violation of Section 10(b) of the Securities Exchange Act of 1934 [15 U.S.C. §
8 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5].

9 **III.**

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
11 Halimi and his agents, servants, employees, representatives, successors and
12 attorneys, and all persons in active concert or participation with any of them, who
13 receive actual notice of this Amended Final Judgment by personal service or
14 otherwise, and each of them, are permanently restrained and enjoined from,
15 directly or indirectly, in connection with the purchase or sale of any security, by the
16 use of any means or instrumentality of interstate commerce, or of the mails, or of
17 any facility of any national securities exchange:

18 aiding and abetting the filing of a required periodic report with the
19 Commission containing any untrue statement of material fact or
20 omitting to state a material fact required to be stated or necessary in
21 order to make the statements made, in light of the circumstances under
22 which they were made, not misleading;

23 in violation of Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)] and Rules
24 12b-20 and 13a-1 thereunder [17 C.F.R. §§ 240.12b-20 and 240.13a-1].
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IV.

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
2 Halimi shall provide all documents in his possession, custody or control to the
3 Commission and disclose under oath all information with respect to his activities
4 and the activities of others about which the Commission or its staff may inquire or
5 request. Such production of documents and disclosure of information by Halimi
6 shall be made upon reasonable notice in writing and without service of a subpoena
7 and subject only to the good faith assertion of any privileges recognizable pursuant
8 to the provisions of Rule 501 of the Federal Rules of Evidence or the United States
9 Constitution and amendments thereto. Failure to comply with the foregoing will
10 subject Halimi to the remedies and sanctions set forth in Rule 37 of the Federal
11 Rules of Civil Procedure and all other available remedies.

V.

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13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
14 Defendant Halimi is assessed, and shall pay to the Commission for delivery to the
15 United States Treasury, a civil penalty in the amount of \$50,000 pursuant to
16 Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d) of the
17 Exchange Act, 15 U.S.C. § 78(u)(d)(3). Halimi shall pay the penalty within one
18 year from the date this Amended Judgment is entered. Payment shall be made by
19 cashier's check, certified check or postal money order made payable to the United
20 States Treasury, and shall be transmitted to the Comptroller, Securities and
21 Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3,
22 Alexandria, Virginia 22312, under cover of a letter that identifies the defendant, the
23 name and case number of this litigation and the name of the Court. A copy of the
24 letter and the check or money order shall be simultaneously transmitted to counsel
25 for the Commission at its Los Angeles office located at 5670 Wilshire Boulevard,
26 11th Floor, Los Angeles, CA 90036.
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VI.

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
2 provisions of the Amended Consent filed concurrently with this Amended
3 Judgment are incorporated herein with the same force and effect as if fully set forth
4 herein and that Halimi shall comply with the Consent.

VII.

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6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
7 this Court shall retain jurisdiction over this action to implement and enforce the
8 terms of the Judgment and other decrees that may be entered herein and to grant
9 such other relief as the Court may deem necessary and just.

VIII.

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

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16 DATED: April 27, 2002

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21 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION, 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036-3648.

Telephone: (323) 965-3998; Fax: (323) 965-3908

On April 23, 2002, I caused to be served the document entitled **AMENDED FINAL JUDGMENT OF PERMANENT INJUNCTION AGAINST EDWARD M. HALIMI** upon the parties to this action addressed as stated on the attached service list:

OFFICE MAIL: By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

PERSONAL DEPOSIT IN MAIL: By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

EXPRESS U.S. MAIL: Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

PERSONAL SERVICE: I caused to be personally delivered each such envelope by hand to the office of the addressee in the attached service list.

FEDERAL EXPRESS: By placing in sealed envelope(s) designated by Federal Express with delivery fees paid or provided for, which I deposited in a facility regularly maintained by Federal Express or delivered to a Federal Express courier, at Los Angeles, California.

FAX (BY AGREEMENT ONLY): By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

(Federal) I declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

Date: April 23, 2002



IRENE MEJIA

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SEC v. TURBODYNE TECHNOLOGIES, INC., et al.
United States District Court - Central District of California
Case No. CV 02-00673 WJR (Ex)
(LA-1010)

SERVICE LIST

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