


**ORIGINAL**

FILED IN CHAMBERS  
RICHARD W. STORY  
U.S.D.C. Atlanta

OCT 06 2004

LUTHER D. THOMAS, Clerk  
By:   
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

JAMES VINCENT O'BRIEN AND  
TRADERS ACCESS CENTER, INC.,

Defendants.

CIVIL ACTION NO:

1:0202-CV-2117-RWS

**AMENDED JUDGMENT**

This action having come before the Court, Honorable Richard W. Story, United States District Judge, for consideration of Plaintiff's Motion to Amend Judgment. The Court, having reviewed the motion and supporting memorandum and the record in this matter, hereby **GRANTS** Plaintiff's Motion.

WHEREFORE, this Amended Judgment shall supersede in all respects the prior Judgment in this matter entered on September 10, 2004.

I.

**IT IS HEREBY ORDERED AND ADJUDGED** that Defendants Traders Access Center, Inc. and James V. O'Brien, their agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with them who receive actual notice of this Amended Judgment by personal service or otherwise are permanently restrained and enjoined from directly or indirectly aiding and abetting violations of Section 15(a) of the Securities Exchange Act of 1934 ("the Exchange Act") [15 U.S.C. § 78o(a)] by, directly or indirectly, through the use of any means or instrumentalities of interstate commerce, or of the mails, engaging in the business of a broker or dealer without registering with the Commission as a broker or dealer or a registered representative thereof.

II.

**IT IS HEREBY FURTHER ORDERED AND ADJUDGED** pursuant to Section 21(e) of the Exchange Act, 15 U.S.C. §78u(e), that James V. O'Brien comply with the order of the Securities and Exchange Commission, In re Schwinger, Exchange Act Release No. 13228, 11 S.E.C. Docket 1629 (Feb. 1, 1977).

III.

**IT IS HEREBY FURTHER ORDERED AND ADJUDGED** that Defendants pay disgorgement of \$1,261,055.00, representing profits gained as a result of the conduct alleged in Plaintiff's complaint in this matter, plus prejudgment interest thereon in the amount of \$422,655.16, for a total of \$1,683,710.16. The Court hereby **ORDERS** that Defendant Traders Access Center, Inc. and Defendant James V. O'Brien are jointly and severally liable for the disgorgement and prejudgment interest amounts. The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt and/or through other collection procedures authorized by law at any time after thirty (30) days following entry of this Amended Judgment.

IV.

**IT IS HEREBY FURTHER ORDERED AND ADJUDGED** that Defendant Traders Access Center, Inc. pay \$10,000 in civil penalties and that Defendant James V. O'Brien pay \$10,000 in civil penalties.

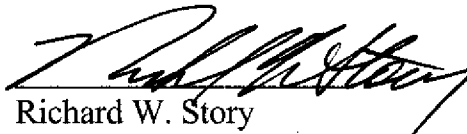
V.

**IT IS HEREBY FURTHER ORDERED AND ADJUDGED** that Defendants pay the disgorgement and civil penalties specified in paragraphs III. and IV. of this Amended Judgment within thirty (30) days of the entry of this Amended

Judgment. The payment(s) shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Traders Access Center, Inc. and James V. O'Brien as defendants in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Amended Judgment.

This action is now closed.

Dated at Atlanta, Georgia this 5<sup>th</sup> day of October, 2004

  
Richard W. Story  
United States District Judge

Prepared by: s/ M. Graham Loomis  
Counsel for Securities  
and Exchange Commission