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Securities and Exchange Commission
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ENT JS-6

FILED
MAY - 8 2001
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION
BY _____ DEPUTY

P-SEND

8 Attorneys for United States Securities and Exchange Commission

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

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

11 SECURITIES AND EXCHANGE COMMISSION, No. SACV00-880 DOC (Ex)

12 **ENTERED**
Plaintiff

[PROPOSED]
FINAL JUDGMENT

v.

14 MICHAEL A. FURR,

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ENTERED
MAY 9 2001
Defendant
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA OFFICE
BY _____ DEPUTY

Docketed
 Copies / NTC Sent
 JS - 5 / JS - 6
 JS - 2 / JS - 3
 CLSD

17 Plaintiff Securities and Exchange Commission ("Commission"),
18 having commenced this action in September, 2000 by filing a
19 Complaint For Permanent Injunction and Other Relief alleging that
20 defendant Michael A. Furr violated Section 17(b) of the Securities
21 Act of 1933 ("Securities Act"), as amended [15 U.S.C. § 77q(a)],
22 Section 10(b) of the Securities Exchange Act of 1934 ("Exchange
23 Act"), as amended [15 U.S.C. §§ 78j(b)], and Rule 10b-5
24 promulgated thereunder [17 C.F.R. §§ 240.10b-5]; the Complaint
having been duly served upon Mr. Furr; and a Consent having been

ENTER ON ICMS

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1 filed in which Mr. Furr, having waived his right to the entry of
2 findings of fact and conclusions of law under Rule 52 of the
3 Federal Rules of Civil Procedure, and, without admitting or
4 denying the allegations made in the Complaint, except as to
5 jurisdiction which is admitted, consented to entry without further
6 notice of this Final Judgment of Permanent Injunction ("Final
7 Judgment") enjoining him from engaging in transactions, acts,
8 practices and courses of business which constitute or would
9 constitute violations of Section 17(b) of the Securities Act,
10 Section 10(b) of the Exchange Act or Rule 10b-5 promulgated
11 thereunder, and it appearing that this Court has jurisdiction
12 over the parties and over the subject matter of this action, and
13 the Court being fully advised in the premises, and there being no
14 just reason for delay:

14 I.

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that defendant
16 Michael A. Furr, his agents, servants, employees and attorneys-in-
17 fact, and all persons in active concert or participation with them
18 who receive actual notice of this Final Judgment by personal
19 service or otherwise, and each of them, be and they hereby are
20 permanently restrained and enjoined from violating Section 17(b)
21 of the Securities Act by publishing, giving publicity to, or
22 circulating any notice, circular, advertisement, newspaper,
23 article, letter, investment service, or communication which,
24 though not purporting to offer a security for sale, describe such

1 security for a consideration received or to be received, directly
2 or indirectly, from an issuer, without fully disclosing the
3 receipt, whether past or prospective, of such consideration and
4 amount thereof

5 II.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant
7 Michael A. Furr, his agents, servants, employees, attorneys-in-
8 fact and all persons in active concert or participation with them
9 who receive actual notice of this Final Judgment by personal
10 service or otherwise, and each of them, be and they hereby are
11 permanently restrained and enjoined from violating Section 10(b)
12 of the Exchange Act and Rule 10b-5 promulgated thereunder by,
13 directly or indirectly, using any means or instrumentality of
14 interstate commerce, or of the mails, or of any facility of a
national securities exchange, to:

15 (1) employ any device, scheme or artifice to defraud,

16 (2) make any untrue statement of a material fact or omit to
17 state a material fact necessary in order to make the statements
18 made, in the light of the circumstances under which they were
19 made, not misleading; or

20 (3) engage in any act, practice or course of business which
21 operates or would operate as a fraud or deceit upon any person,
22 in connection with the purchase or sale of any security.

23 III.
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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant
2 Michael A. Furr pay disgorgement in the amount of \$3,452,552,
3 pre-judgment interest of \$311,750 and a penalty of \$110,000.
4 Defendant Michael A. Furr shall make these payments to the
5 Comptroller of the SEC, together with a letter specifying that
6 payment is made pursuant to this judgment. Mr. Furr will
7 simultaneously transmit photocopies of such payment and letter to
8 the Commission's counsel in this action.

9
10 IV.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the annexed
12 Consent and Undertaking of Defendant Michael A. Furr be, and the
13 same hereby is, incorporated here in with the same force and
14 effect as if fully set forth herein.

15 V

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

19 Dated: May 8, 2001

Alford O. Carter
United States District Judge

PROOF OF SERVICE

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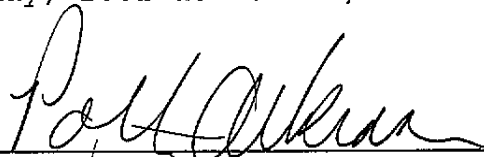
I declare that I am over the age of eighteen and not a party to this action. My business address is 1801 California Street, Suite 4800, Denver, Colorado 80202.

On May 2, 2001, I served a true and correct copy of the [PROPOSED] FINAL JUDGMENT by United States Mail, postage prepaid addressed to:

IRVING M. EINHORN
PATRICIA G. BELL
LAW OFFICES OF IRVING M. EINHORN
11900 Olympic Boulevard, Suite 510
Los Angeles, California 90064

I declare under penalty of perjury that the above is true and correct.

Executed this 2nd day of May, 2001 at Denver, Colorado.


Polly Atkinson