

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

SECURITIES & EXCHANGE COMMISSION

Plaintiff,

v.

JOSEPH P. WEBSTER

Defendant.

Case No. 00 CV 02246  
**FILED**

OCT 11 2000

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

**FINAL JUDGMENT AND ORDER OF PERMANENT INJUNCTION**

Plaintiff, Securities and Exchange Commission ("Commission"), having filed its Complaint for Permanent Injunction and Other Equitable Relief ("Complaint"), there having been no trial of this matter and no findings regarding the allegations contained in the Complaint; defendant Webster, having acknowledged in the Stipulation and Consent, filed herein, receipt of the Complaint filed in this matter, having waived service of the Summons and Complaint; having admitted to the *in personam* jurisdiction of this Court, and the jurisdiction of this Court over the subject matter of this action; having waived the entry of Findings of Fact and Conclusions of Law under Rule 52 of the Federal Rules of Civil Procedure with respect to the entry of this Final Judgement and Order of Permanent Injunction ("Order"); having agreed, for purposes of this action only, without admitting or denying any of the allegations of the Commission's Complaint, except as expressly set forth herein, to the entry of this Order enjoining Webster from engaging in transactions, acts, practices and courses of business which constitute and would constitute violations of Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] promulgated thereunder, and further ordering Webster to disgorge \$15,358 representing illegal trading profits in his purchase of 1,441 shares and sale of 1,442 shares of United common stock on January 25, 1999 and January 27, 1999

#3  
(W)

respectively, plus prejudgement interest thereon; and further ordering Webster to pay a civil penalty totaling \$15,358 representing his illegal trading profits from certain transactions in United common stock from January 25 through January 27, 1999 as alleged in the Complaint. It further appearing that this Court has jurisdiction over Webster that no further notice of hearing for the entry of this Order need be given; the Court being fully advised in the premises, and no just reason for delay appearing:

**I.**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that defendant Webster, his affiliates, nominees, agents, officers, directors, employees, servants, successors, attorneys, assigns, corporations, and other person or entities under his control, and those persons in active concert or participation with him, and each of them who receive actual notice of this Order by personal service or otherwise, and each of them in their respective capacities when acting for or with Webster, be and hereby are permanently restrained and enjoined from, directly or indirectly violating Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] promulgated thereunder, by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, to:

- a. employ any device, scheme, or artifice to defraud;
- b. make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
- c. engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

in connection with the purchase or sale of any security.

**II.**

IT IS ORDERED, ADJUDGED AND DECREED that Webster shall pay within 30 days of the date of this Order disgorgement totaling \$15,358, representing his illegal trading profits

from certain transactions in United common stock from January 25 through January 27, 1999 as alleged in the Complaint, prejudgment interest on the disgorgement, and a civil money penalty pursuant to Section 21A (a) of the Exchange Act in the amount of \$15,358, to the United States Treasury. Such payments shall be (1) made by United States postal money order, certified check, bank cashier's check or bank money order; (2) made payable to the Securities and Exchange Commission; (3) hand-delivered or mailed to the Office of the Comptroller, U.S. Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312; and (4) submitted under cover letter which identifies Webster as the Defendant in this action and the file number of the action, a copy of which cover letter and money order or check shall be sent to Margaret Cain, Central Regional Office, Securities and Exchange Commission, 1801 California St., Suite 4800, Denver, Colorado 80202.

**III.**

IT IS ORDERED ADJUDGED and DECREED that this Court shall retain jurisdiction of this action for all purposes.

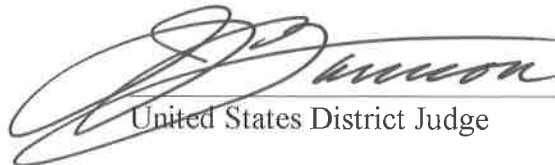
**IV.**

This Order shall be binding on defendant Webster and upon those person in active concert or participation with him who receive actual notice of the Order, a copy of which may be served in person, by mail, or by any officer of the Commission.

**VI.**

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

SIGNED this 11<sup>th</sup> day of October, 2000.

  
United States District Judge