

DOC # 4

CHIN, J
PART I

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

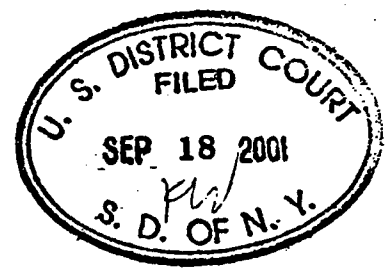
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**HARRY PARKER DAILY,
JAMES FRANCIS HEALEY,
PAUL MICHAEL HEALEY, and
ROBERT GEORGE VAN HOECKE,**

Defendants.



01 CIVIL ACTION NO. 8432
RELATED
01,1693

JUDGMENT AS TO DEFENDANT JAMES FRANCIS HEALEY

Defendant James Francis Healey ("Defendant") having (i) entered a general appearance; (ii) consented to the Court's jurisdiction over Defendant and the subject matter of this action; (iii) without admitting or denying the allegations of the Complaint, consented to entry of this Judgment without further notice; (iv) waived findings of fact and conclusions of law; and (v) waived any right to appeal from this Judgment, it is now

ORDERED, ADJUDGED AND DECREED that Defendant, and Defendant's agents, servants, employees and attorneys-in-fact, and those persons in active concert or participation with them who receive actual notice of this Judgment, are permanently restrained and enjoined from violating Section 10(b) of the Securities Exchange Act of 1934 (15 U.S.C. §78j(b)) and Rule 10b-5 thereunder (17 C.F.R. §240.10b-5), directly or indirectly, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security, (1) employing any device, scheme or artifice to

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defraud, (2) making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or (3) engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

ORDERED, ADJUDGED AND DECREED that Defendant (a) is liable for disgorgement of \$3,228.13, representing profits gained by Defendant's aunt, to whom Defendant provided material, nonpublic information as alleged in the Complaint, together with prejudgment interest in the amount of \$1,020.49, for a total of \$4,248.62; and (b) is jointly and severally liable with his brother, Paul Healey, for disgorgement of \$10,568.30 ("Paul Healey Disgorgement"), representing profits gained by Paul Healey, to whom Defendant provided material, nonpublic information as alleged in the Complaint, together with prejudgment interest in the amount of \$3,340.91, for a total of \$13,909.21. Defendant shall satisfy these obligations by paying \$4,248.62 within 10 business days, plus any amount of the Paul Healey Disgorgement and prejudgment interest thereon not paid by Paul Healey within 10 business days, to the Comptroller of the SEC, 450 Fifth Street, N.W., Washington, D.C. 20549, by certified check payable to "U.S. Treasury" or by money order, together with a letter specifying that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the SEC's counsel in this action. The SEC shall forward such funds to the U.S. Treasury.

ORDERED, ADJUDGED AND DECREED that Defendant pay a civil penalty of \$13,796.43 pursuant to Section 21A of the Securities Exchange Act of 1934 (15 U.S.C. §78u-1) representing a sum equal to the profits of Defendant's aunt and Paul Healey. Defendant shall satisfy this obligation by paying \$13,796.43 within 10 business days to the Comptroller of the SEC, 450

Fifth Street, N.W., Washington, D.C. 20549, by certified check payable to the "U.S. Treasury" or by money order, together with a letter specifying that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the SEC's counsel in this action. The SEC shall forward such funds to the U.S. Treasury.

There being no just reason for delay, pursuant to Fed. R. Civ. P. 54(b), the Clerk is ordered to enter this Judgment forthwith and without further notice.

Dated: 9/10, 2001


UNITED STATES DISTRICT JUDGE

PATTON

