

**FILED**  
IN CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
MAY 9 10 04 AM '01

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
SECURITIES AND EXCHANGE COMMISSION, )  
)  
Plaintiff, )  
)  
v. )  
)  
MARKET TRADERS LLC )  
AND ARCANGELO CAPOZZOLO )  
)  
Defendants. )  
)  
)

Civil Action No.

**01CV10788DPW**

**FINAL JUDGMENT OF PERMANENT INJUNCTION  
AND OTHER RELIEF AS TO DEFENDANTS  
MARKET TRADERS LLC AND ARCANGELO CAPOZZOLO**

Defendants Market Traders LLC ("Market Traders") and Arcangelo Capozzolo ("Capozzolo") having: (i) executed the Consent to Final Judgment of Permanent Injunction and Other Relief by Defendants Market Traders LLC and Arcangelo Capozzolo ("Consent") which is attached hereto and hereby incorporated by reference; (ii) entered a general appearance; (iii) consented to the Court's jurisdiction over themselves and over the subject matter of this action; (iv) consented to entry of this Final Judgment of Permanent Injunction and Other Relief as to Defendants Market Traders LLC and Arcangelo Capozzolo ("Final Judgment") without admitting or denying the allegations of the Complaint; (v) waived findings of fact and conclusions of law; and (vi) waived any right to appeal from this Final Judgment and any basis for objecting to enforcement of the Final Judgment:

**DOCKETED** (4)

I.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Market Traders, Capozzolo and their agents, servants, employees, attorneys, successors or assigns, and those persons in active concert or participation with them who receive actual notice of this Final Judgment, are permanently restrained and enjoined from violating Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §78j(b)] and Rule 10b-5 thereunder [17 C.F.R. §240.10b-5] by, 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: (a) employing any device, scheme, or artifice to defraud; (b) 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 (c) engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

II.

**IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that the Court is directing Market Traders to pay a civil monetary penalty of \$25,000, payable in monthly installments of \$5,000, pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. §78u(d)(3)]. Defendant shall pay the first installment of \$5,000 within twenty business days to the Comptroller of the SEC, together with a letter specifying that payment is made pursuant to this judgment. This payment shall be followed by paying four monthly installments of \$5,000 each to the Comptroller of the SEC, together with letters specifying that payment is made pursuant to this judgment. Defendant shall

simultaneously transmit photocopies of such payments and letters to the SEC's counsel in this action.

The SEC shall forward such funds to the U.S. Treasury.

**III.**

**IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that this Court shall retain jurisdiction over Market Traders and Capozzolo as parties to this matter for all purposes, including the implementation and enforcement of this Final Judgment.

**IV.**

**IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that, the Court finding no just reason for delay, the entry of this Judgment shall constitute a final judgment as to all of the Commission's claims against Market Traders and Capozzolo in this action, and the Clerk of the Court is directed to enter this Final Judgment forthwith pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

DONE AND ORDERED at Boston, this 10<sup>th</sup> day of May, 2001.

William P. Woodley  
UNITED STATES DISTRICT COURT JUDGE