

UNITED STATES DISTRICT COURT
of the
DISTRICT OF COLUMBIA

FILED

DEC 20 2001

SECURITIES AND EXCHANGE COMMISSION :

Plaintiff, :

v. :

Civil Action No. 01-cv-12021

SEAN R. PRICE; and
BENJAMIN J. MALDONADO III :

Defendants. :

FINAL JUDGMENT AS TO DEFENDANT BENJAMIN J. MALDONADO III

Defendant Benjamin J. Maldonado III (“Defendant”) having: (i) entered a general appearance; (ii) consented to the Court’s jurisdiction over himself and the subject matter of this action; (iii) without admitting or denying the allegations of the Complaint, consented to entry of this Final Judgment As To Defendant Benjamin J. Maldonado III (“Final Judgment”) without further notice; (iv) waived findings of fact and conclusions of law; and (v) waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant, and Defendant’s officers, agents, servants, employees and attorneys, 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 17(a) of the Securities Act of 1933 [15 U.S.C. §77q(a)] by, in the offer or sale of any securities by the use of any means or instruments of

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transportation or communication in interstate commerce or by the use of the mails, directly or indirectly, (1) employing any device, scheme or artifice to defraud, (2) obtaining money or property by means of any untrue statement of a material fact or any omission 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 transaction, practice or course of business which operates or would operate as a fraud or deceit upon any purchaser.

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant, and Defendant's officers, agents, servants, employees and attorneys, 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 CFR § 240.10b-5] by, directly or indirectly, 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 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.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant pay disgorgement in the amount of \$38,489.80, prejudgment interest in the amount of \$6,472.29, and a

civil penalty of \$38,489.80 pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1], for a total of \$83,451.89.

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant shall satisfy the obligations specified in section III of this Final Judgment by paying \$83,451.89 within ten (10) business days of the entry of the Final Judgment by cashier's check or certified check payable to the "SECURITIES AND EXCHANGE COMMISSION" and bearing on its face the caption "SECURITIES AND EXCHANGE COMMISSION v. SEAN R. PRICE AND BENJAMIN J. MALDONADO III, HO-8961-A." The payment shall be delivered under cover of a letter to the Office of the Comptroller of the Commission, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, DC 20549, that identifies Defendant, the caption and case number of this action, the name of this Court, and HO-8961-A. Copies of such check and accompanying cover letter shall be simultaneously transmitted to Charles D. Stodghill, Assistant Chief Litigation Counsel, U.S. Securities and Exchange Commission, 450 Fifth St., N.W., Washington, DC 20549-0911.

V.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon receipt of the funds specified in section IV of this Final Judgment, the Comptroller of the SEC shall promptly remit such funds to the United States Treasury.

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

Dated: 12/20, 2001

Elen S. Hark
UNITED STATES DISTRICT JUDGE