

11-17-04
RCP

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

MAXXON, INC.,
GIFFORD M. MABIE, JR.,
THOMAS R. COUGHLIN, JR., and
RHONDA R. VINCENT,

Defendants.

No. 02 CV 975 H (J)

FILED

DEC 6 2004

Phil Lombardi, Clerk
U.S. DISTRICT COURT

FINAL JUDGMENT AS TO DEFENDANT RHONDA R. VINCENT

The Securities and Exchange Commission having filed a Complaint, and defendant Rhonda R. Vincent ("Vincent") having appeared and answered the Complaint, consented to the Court's jurisdiction over her and over the subject matter of this action, consented to entry of this Final Judgment As To Defendant Rhonda R. Vincent ("Final Judgment") without admitting or denying the allegations of the Complaint (except as to jurisdiction), waived findings of fact and conclusions of law, and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Vincent and Vincent's agents, servants, employccs, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a)(2) and (3) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)(2) and (3)] in the offer or sale of any security by

the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly, (a) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or (b) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Vincent and Vincent's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from aiding and abetting any violation of Section 13(a) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78m(a)] and Exchange Act Rules 13a-1, 13a-13, and 12b-20 [17 C.F.R. §§ 240.13a-1, 240.13a-13, and 240.12b-20] by aiding and abetting the filing with the Commission of any report or statement required to be filed with the Commission, by or on behalf of an issuer, pursuant to Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)] and the rules and regulations promulgated thereunder, which contains any untrue statement of material fact, omits any material fact required to be stated therein or necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, omits any information required to be disclosed, or fails to comply in any material respect with the requirements of Section 13(a) of the Exchange Act and the rules and regulations promulgated thereunder.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Vincent is liable for disgorgement of \$29,526.93, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$3,740.25, and a civil penalty in the amount of \$25,000 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d) of the Exchange Act [15 U.S. § 78u-1(d)]. Vincent shall satisfy this obligation by paying \$58,267.18 within ten business days to the Clerk of this Court, together with a cover letter identifying Vincent as a defendant in this action, setting forth the title and civil action number of this action and the name of this Court, and specifying that payment is made pursuant to this Final Judgment. Vincent shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. By making this payment, Vincent relinquishes all legal and equitable right, title, and interest in such funds, and no part of the funds shall be returned to Vincent.

The Clerk shall deposit the funds into an interest bearing account with the Court Registry Investment System ("CRIS"). These funds, together with any interest and income earned thereon (collectively, the "Fund"), shall be held by the CRIS until further order of the Court. In accordance with 28 U.S.C. § 1914 and the guidelines set by the Director of the Administrative Office of the United States Courts, the Clerk is directed, without further order of this Court, to deduct from the income earned on the money in the Fund a fee equal to ten percent of the income earned on the Fund. Such fee shall not exceed that authorized by the Judicial Conference of the United States.

The Commission may by motion propose a plan to distribute the Fund subject to the Court's approval. Such a plan may provide that Fund shall be distributed pursuant to the Fair

Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. Regardless of whether any such Fair Fund distribution is made, amounts ordered to be paid as civil penalties pursuant to this Judgment shall be treated as penalties paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Vincent shall not, after offset or reduction in any Related Investor Action based on her payment of disgorgement in this action, further benefit by offset or reduction of any part of her payment of a civil penalty in this action ("Penalty Offset"). If the court in any Related Investor Action grants such a Penalty Offset, Vincent shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission's counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Judgment. For purposes of this paragraph, a "Related Investor Action" means a private damages action brought against Vincent by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent Of Defendant Rhonda R. Vincent is incorporated herein with the same force and effect as if fully set forth herein, and that Vincent shall comply with all of the undertakings and agreements set forth therein.

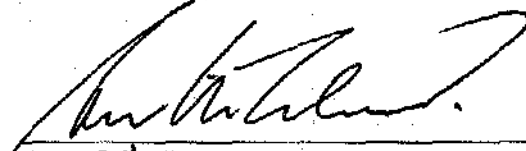
V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

VI.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: 12/6/04



Sven Erik Holmes
Chief Judge, United States District Court
Northern District of Oklahoma

Plaintiff:
Carl A. Tabbette
Plaintiff SEC