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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

EASTERN DIVISION

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 vs

15 CALIFORNIA AUTOCARE
16 CORPORATION, AUTOCARE
17 AMERICORP, JOSEPH SANFELLIPO,
18 JAMES E GASPER, KIMBALL R
19 VANCE, JR , and ELIHU M SIGAL,

20 Defendants.

Case No EDCV 02-1229 VAP (SGLx)

**FINAL JUDGMENT OF
DISGORGEMENT AND CIVIL
PENALTY AGAINST ELIHU M.
SIGAL**

21 Plaintiff Securities and Exchange Commission ("Commission"), having
22 filed and served upon Defendant Elihu M Sigal ("Sigal") a Summons and
23 Complaint in this action, Sigal having admitted service upon him of the Summons
24 and Complaint in this action and the jurisdiction of this Court over him and over
25 the subject matter of this action, having been fully advised and informed of his
26 right to a judicial determination of this matter, having waived the entry of findings
27 of fact and conclusions of law as provided by Rule 52 of the Federal Rules of
28 Civil Procedure, having consented to the entry of this Final Judgment Of
Disgorgement And Civil Penalty Against Elihu M Sigal, ("Final Judgment")

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1 without admitting or denying the allegations in the Complaint, except as
2 specifically set forth in the Consent Of Elihu M Sigal To Entry Of Final Judgment
3 Of Disgorgement And Civil Penalty ("Consent"), no notice of hearing upon the
4 entry of this Final Judgment being necessary, and this Court being fully advised

5 **I.**

6 IT IS ORDERED, ADJUDGED AND DECREED that Sigal is liable for
7 disgorgement of \$22,306, together with prejudgment interest thereon in the
8 amount of \$278 48, totaling \$22,584 48, and a civil penalty of \$6,500 pursuant to
9 Section 20(d) of the Securities Act, 15 U S C § 77u(d), and Section 21(d)(3) of
10 the Exchange Act, 15 U S C § 78u(d)(3) Sigal shall satisfy this obligation by
11 paying \$29,084 48 within ten days of the date of entry of this Final Judgment in
12 the form of a cashier's check, certified check or postal money order payable to the
13 Court-appointed Receiver, Robb Evans, together with a cover letter that identifies
14 the defendant, the name and case number of this litigation and the court A copy
15 of the cover letter shall be simultaneously transmitted to counsel for the
16 Commission in this action at the Commission's Pacific Regional Office in Los
17 Angeles, California By making this payment, Sigal relinquishes all legal and
18 equitable right, title, and interest in such funds, and no part of the funds shall be
19 returned to Sigal The Commission and/or the Receiver may propose a plan to
20 distribute the funds subject to the Court's approval Such a plan may provide that
21 the funds shall be distributed pursuant to the Fair Fund provisions of Section
22 308(a) of the Sarbanes-Oxley Act of 2002 Regardless of whether any such Fair
23 Fund distribution is made, the amount ordered to be paid as a civil penalty
24 pursuant to this Final Judgment shall be treated as a penalty paid to the
25 government for all purposes, including all tax purposes

26 **II.**

27 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
28 provisions of the Consent filed concurrently with this Final Judgment are

1 incorporated herein with the same force and effect as if fully set forth herein and
2 that Sigal shall comply with his Consent

3 **III.**

4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that during
5 the pendency of this action against any defendant, Sigal shall remain subject to the
6 discovery provisions of the Federal Rules of Civil Procedure which apply to
7 parties, and, in addition, that Sigal agrees and undertakes, without service of a
8 subpoena, to appear for his deposition or to testify as a witness at any trial of this
9 action or at any related proceeding Failure to comply with the foregoing will
10 subject Sigal to the remedies and sanctions set forth in Rule 37 of the Federal
11 Rules of Civil Procedure and all other available remedies

12 **IV.**

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this
14 Court shall retain jurisdiction over this action for all purposes, including
15 implementing and carrying out the terms of the Judgment Of Permanent Injunction
16 And Other Relief Against Elihu M. Sigal entered November 26, 2002, which
17 Judgment remains in full force and effect, except as modified by the Court's
18 November 25, 2002, Order approving the Stipulation Between Plaintiff Securities
19 And Exchange Commission And Defendant Elihu M Sigal For Partial Relief
20 From Asset Freeze and the Court's subsequent Order approving the Stipulation
21 Between Plaintiff Securities And Exchange Commission And Elihu M Sigal To
22 Preserve Funds Pending Commission Consideration Of Proposed Settlement And
23 To Terminate Asset Freeze, this Final Judgment, and all other orders which have
24 been or may be entered in this case, and to entertain any suitable application or
25 motion for additional relief within the jurisdiction of this Court

26 *

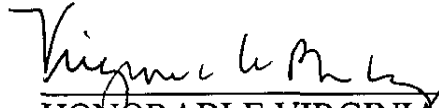
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V.

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

DATED 11/20/03


HONORABLE VIRGINIA A PHILLIPS
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I, Magnolia M Marcelo, am over the age of eighteen years, am not a party to this action, and am a citizen of the United States My business address is 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036 On November 25, 2003, I caused to be served the **FINAL JUDGMENT OF DISGORGEMENT AND CIVIL PENALTY AGAINST ELIHU M. SIGAL** by causing to be mailed true and correct copies thereof in sealed envelopes, postage prepaid, addressed to

James E. Gasper
249 S Highway 101, #367
Solana Beach, CA 92075

Christie Gaumer, Esq
Law Offices of Christie Gaumer
900 Wilshire Boulevard, Suite 1512
Los Angeles, CA 90017

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2107 Kays Creek Dr
Layton, UT 84040

William S. Bonnheim, Esq
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Attorney for Defendant Elihu M. Sigal

Carol S. Houck, Esq
196 Santa Ana Boulevard
Oak View, CA 93023
Attorney for Defendant Joseph Sanfello

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157 E. El Roblar Drive
Ojai, CA 93023
Attorney for Defendant Joseph Sanfello

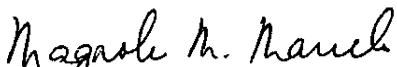
Robb Evans, Receiver
Robb Evans & Associates
11450 Sheldon Street
Sun Valley, CA 91352-1121

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1 Alan M Mirman, Esq
2 Horgan, Rosen, Beckham & Coren, LLP
3 23975 Park Sorrento, Suite 200
4 Calabasas, CA 91302-4001
5 *Attorney for Receiver*

6 I declare under penalty of perjury that the foregoing is true and correct

7 Dated November 25, 2003

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10 Magnolia M. Marcelo
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