

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*Handwritten initials/signature*

RECEIVED  
JUL 31 2002  
CLERK OF COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,  
v.

: 02 Civ. 0306 (WHP)

MAX C. TANNER, DENNIS EVANS, MARK A.  
TAYLOR, SR., KEVIN KIRKPATRICK, KENNETH  
KURTZ, KEVIN J. RUGGIERO, MICHAEL  
BOSTON, ALEX SHEYFER, and ALEXANDER  
ZALMENENKO,

*# 02,1558*

Defendants.

U. S. DISTRICT COURT  
FILED  
AUG 12 2002  
S. D. OF N. Y.

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DEFAULT JUDGMENT AND ORDER  
~~(PROPOSED)~~

The Court having reviewed the Motion For Default Judgment As To Max C. Tanner ("Motion") of plaintiff Securities and Exchange Commission ("Commission") against defendant Max C. Tanner ("Tanner"), and having considered all submissions in opposition thereto, and for good cause shown, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The Motion is GRANTED;
2. Tanner, his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of the injunction by personal service or otherwise, each of them, are permanently restrained and enjoined from future violations of violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. §§ 77e(a), 77e(c), 77q(a), and 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. § 240.10-5;

3. Within thirty (30) days of the date of this Judgment, Tanner shall disgorge the \$2,145,167.65<sup>12</sup> that he obtained as a result of his fraudulent scheme (as alleged in the Commission's Complaint and as supported by the additional disgorgement evidence proffered by the Commission in support of the Motion), plus \$616,149.47 in prejudgment interest. Payment shall be made by U.S. postal money order, certified check, bank cashier's check, or bank money order payable to the order of the "United States Securities and Exchange Commission." This payment shall be transmitted to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way Stop 0-3, Alexandria, VA 22312, under cover of a letter that identifies the defendant, the name and civil action number of this litigation, and the court in which it was brought. The cover letter also shall contain the investigation name (*In The Matter Of Maid Aide, Inc.*) and the case number assigned by the Commission staff (NY-6492), and shall identify the payment as disgorgement and prejudgment interest. A copy of the cover letter and of any money orders or checks, front and back, shall be simultaneously submitted to Audry Weintrob, Esq., Securities and Exchange Commission, 233 Broadway, New York, N.Y. 10279;

*Case*  
4. Within thirty (30) days of the date of this Judgment, Tanner shall pay a civil money penalty of \$ 350,000<sup>02</sup> pursuant to Section 20(d) of the Securities Act and Section 21(d)(3) of the Exchange Act, 15 U.S.C. §§ 77t(d), 78u(d)(3). Payment of the civil penalty shall be made by U.S. postal money order, certified check, bank cashier's check, or bank money order payable to the order of the "United States Securities and Exchange Commission." This payment shall be transmitted to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way Stop 0-3, Alexandria, VA 22312, under cover of a letter that identifies the

defendant, the name and civil action number of this litigation, and the court in which it was brought. The cover letter also shall contain the investigation name (*In The Matter Of Maid Aide, Inc.*) and the case number assigned by the Commission staff (NY-6492), and shall identify the payment as a civil penalty under Section 20(d) of the Securities Act and Section 21(d)(3) of the Exchange Act. A copy of the cover letter and of any money orders or checks, front and back, shall be simultaneously submitted to Audry Weintrob, Esq., Securities and Exchange Commission, 233 Broadway, New York, N.Y. 10279;

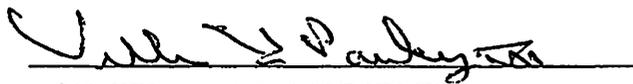
5. Pursuant to Sections 20(e) of the Securities Act and Section 21(d)(2) of the Exchange Act, 15 U.S.C. §§ 77(t)(e), 78u(d)(2), Tanner is permanently barred from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act, 15 U.S.C. § 78l, or that is required to file reports with the Commission pursuant to Section 15(d) of the Exchange Act, 15 U.S.C. § 78o(d).

6. The Clerk of this Court is hereby directed to enter this Judgment forthwith against Defendant Max C. Tanner of 75 North Valley Verde #1921, Henderson, NV 89014; and

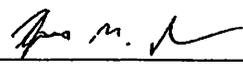
7. This Court shall retain jurisdiction to address any issues that may arise with regard to the execution upon or enforcement of this Judgment.

Dated: New York, New York

Aug 8, 2002



HON. WILLIAM H. PAULEY III  
United States District Judge

  
Clerk of the Court

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THIS DOCUMENT WAS ENTERED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

02 Civ. 0306 (WHP)

MAX C. TANNER, DENNIS EVANS, MARK A.  
TAYLOR, SR., KEVIN KIRKPATRICK, KENNETH  
KURTZ, KEVIN J. RUGGIERO, MICHAEL BOSTON,  
ALEX SHEYFER, and ALEXANDER ZALMENENKO,

Defendants.

---

CERTIFICATE OF SERVICE

I, Audry Weintrob, hereby certify that I caused to be served by first class mail copies of a revised Default Judgment And Order (Proposed) against defendant Max C. Tanner this 30<sup>th</sup> day of July, 2002, upon the following parties and/or counsel:

Max C. Tanner

c/o 75 North Valley Verde, #1921  
Henderson, NV 89014

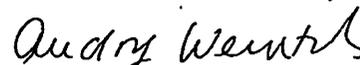
c/o Law offices of Mont Tanner  
2950 East Flamingo Road - Suite G  
Las Vegas, NV 89121

c/o Mitchell A. Kamin, Esq.  
O'Neill, Lysaght & Sun LLP  
100 Wilshire Boulevard, Suite 700  
Santa Monica, CA 90401-1142

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3162 51<sup>st</sup> St., Apt. 2D  
Woodside, NY 11377

  
Audry Weintrob