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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
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FILED
CLERK, U.S. DISTRICT COURT
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CENTRAL DISTRICT OF CALIFORNIA
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CLERK, U.S. DISTRICT COURT
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CENTRAL DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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12 SECURITIES AND EXCHANGE
COMMISSION,
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14 Plaintiff,
15 vs.
16 TURBODYNE TECHNOLOGIES, INC.
and EDWARD M. HALIMI,
17 Defendants.

Case No. 02-00673 WJR (EX)
FINAL JUDGMENT OF
PERMANENT INJUNCTION
AGAINST DEFENDANT
EDWARD M. HALIMI

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

18 Plaintiff Securities and Exchange Commission ("Commission"),
19 having filed and served upon Defendant Edward M. Halimi ("Halimi") a Summons
20 and Complaint in this matter and Halimi having admitted service upon him of the
21 Summons and Complaint in this action and the jurisdiction of this Court over him
22 and over the subject matter of this action; having been fully advised and informed
23 of his rights to a judicial determination of this matter; having waived the entry of
24 findings of fact and conclusions of law as provided by Rule 52 of the Federal Rules
25 of Civil Procedure; having consented to the entry of this Final Judgment of
26 Permanent Injunction Against Defendant Edward M. Halimi ("Judgment") without
27 admitting or denying the allegations in the Complaint, except as specifically set
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FEB 25 2002

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Docketed
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JS-5 / JS-6
JS-2 / JS-3
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1 forth in the Consent of Defendant Edward M. Halimi to Entry of Judgment of
2 Permanent Injunction ("Consent"); and it appearing that no notice of hearing upon
3 the entry of this Judgment being necessary; and the Court being fully advised in
4 the premises, and there being no just reason for delay:

5 **I.**

6 IT IS ORDERED, ADJUDGED AND DECREED that Halimi and his
7 agents, servants, employees, and all persons in active concert or participation with
8 any of them, who receive actual notice of this Judgment by personal service or
9 otherwise, and each of them, are permanently restrained and enjoined from,
10 directly or indirectly, in the offer or sale of the securities of any issuer, by the use
11 of any means or instruments of transportation or communication in interstate
12 commerce or by the use of the mails:

- 13 A. employing any device, scheme or artifice to defraud;
14 B. obtaining money or property by means of any untrue statement of a
15 material fact or any omission to state a material fact necessary in order
16 to make the statements made, in the light of the circumstances under
17 which they were made, not misleading; or
18 C. engaging in any transaction, practice, or course of business which
19 operates or would operate as a fraud or deceit upon the purchaser;

20 in violation of Section 17(a) of the Securities Act of 1933 [15 U.S.C. § 77q(a)].

21 **II.**

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
23 Halimi and his agents, servants, employees, and all persons in active concert or
24 participation with any of them, who receive actual notice of this Judgment by
25 personal service or otherwise, and each of them, are permanently restrained and
26 enjoined from, directly or indirectly, in connection with the purchase or sale of any
27 security, by the use of any means or instrumentality of interstate commerce, or of
28 the mails, or of any facility of any national securities exchange:

- 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;

in violation of Section 10(b) of the Securities Exchange Act of 1934 [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5].

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that

Halimi and his agents, servants, employees, representatives, successors and attorneys, and all persons in active concert or participation with any of them, who receive actual notice of this Final Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from, directly or indirectly, in connection with the purchase or sale of any security, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange:

aiding and abetting the filing of a required periodic report with the Commission containing any untrue statement of material fact or omitting to state a material fact required to be stated or necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading;

in violation of Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)] and Rules 12b-20 and 13a-1 thereunder [17 C.F.R. §§ 240.12b-20 and 240.13a-1].

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that

Halimi shall provide all documents in his possession, custody or control to the Commission and disclose under oath all information with respect to his activities and the activities of others about which the Commission or its staff may inquire or request. Such production of documents and disclosure of information by Halimi shall be made upon reasonable notice in writing and without service of a subpoena

1 to the provisions of Rule 501 of the Federal Rules of Evidence or the United States
2 Constitution and amendments thereto. Failure to comply with the foregoing will
3 subject Halimi to the remedies and sanctions set forth in Rule 37 of the Federal
4 Rules of Civil Procedure and all other available remedies.

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6 **V.**

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
8 Defendant Halimi is assessed, and shall pay to the Commission for delivery to the
9 United States Treasury, a civil penalty in the amount of \$50,000 pursuant to
10 Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d) of the
11 Exchange Act, 15 U.S.C. § 78(u)(d)(3). Halimi shall pay the penalty within three
12 years from the date this Judgment is entered. Payment shall be made by cashier's
13 check, certified check or postal money order made payable to the United States
14 Treasury, and shall be transmitted to the Comptroller, Securities and Exchange
15 Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria,
16 Virginia 22312, under cover of a letter that identifies the defendant, the name and
17 case number of this litigation and the name of the Court. A copy of the letter and
18 the check or money order shall be simultaneously transmitted to counsel for the
19 Commission at its Los Angeles office located at 5670 Wilshire Boulevard, 11th
20 Floor, Los Angeles, CA 90036.

21 **VI.**

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
23 provisions of the Consent filed concurrently with this Judgment are incorporated
24 herein with the same force and effect as if fully set forth herein and that Halimi
25 shall comply with the Consent.
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VII.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this action to implement and enforce the terms of the Judgment and other decrees that may be entered herein and to grant such other relief as the Court may deem necessary and just.

VIII.

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 Judgment forthwith.

DATED: *Feb 20*
~~January~~ __, 2002

Harold J. Rice
UNITED STATES DISTRICT JUDGE

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