

**ORIGINAL**

**ECF**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**SECURITIES AND EXCHANGE COMMISSION,**

Plaintiff,

vs.

**ENVIRONMENTAL SOLUTIONS WORLDWIDE  
INC., ET. AL.**

Defendants.

Civil Action No.:

**02 1575**

**FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER  
RELIEF AS TO DEFENDANT  
EUGENE FOO**

This matter came before this Court on the application of plaintiff Securities and Exchange Commission ("Commission") by consent of Defendant Eugene Foo, for issuance of this Final Judgment Of Permanent Injunction and Other Relief As To Defendant Eugene Foo ("Final Judgment"), providing the relief set out herein.

Defendant Foo has provided this Court with a Stipulation and Consent ("Consent") in which, inter alia, he (1) acknowledges and admits the in personam jurisdiction of this Court over him, and the subject matter jurisdiction of this Court over the cause of action claimed by the Commission herein; (2) waives entry of findings of fact and conclusions of law under rule 52, Fed. Rules Civ. Proc., 28 U.S.C.A., with respect to the entry of this Final Judgment; and 3) consents, for purposes of this action only, to the entry of this Final Judgment, without admitting or denying any of the allegations of the Commission's Complaint in this matter and without admitting or denying any violation of the federal securities laws, except as to jurisdiction, as set forth herein.

It appears this Court has in personam jurisdiction over Defendant Foo, and subject matter jurisdiction over the cause of action claimed by the Commission; that no further notice or hearing is required prior to entry of this Final Judgment and there is no just reason for delay; and the Court has been fully advised of the premises for entry of this Final Judgment.

**IT IS THEREFORE ORDERED:**

I.

Defendant Foo, his agents, servants, employees, attorneys-in-fact and all persons in active concert or participation with him, who receive actual notice of this Final Judgment by personal service or otherwise, are permanently restrained and enjoined in the offer or sale of any security, from directly or indirectly:

(a) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell any securities, through the use or medium of any prospectus or otherwise, unless and until a registration statement is in effect with the Commission as to such securities;

(b) carrying securities, or causing them to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or delivery after sale, unless and until a registration statement is in effect with the Commission as to such securities; or

(c) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy, through the use or medium of any prospectus or otherwise, securities, unless a registration statement has been filed with the Commission as to such securities, or while a registration statement filed with the Commission as to such securities is the subject of a refusal order or stop order or (prior to the effective date of the registration statement)

any public proceeding of examination under Section 8 of the Securities Act of 1933

("Securities Act"), as amended [15 U.S.C. § 77h]; provided, however, that nothing in this Part I shall apply to any security or transaction that is exempt from the provisions of Section 5 of the Securities Act, as amended [15 U.S.C. § 77e].

II.

Within 90 days of the entry of this Final Judgment, Defendant Foo shall pay a civil penalty of U.S. \$50,000.00 pursuant to Section 20(d) of the Securities Act [15 U.S.C. §77t(d)]. Such payment shall be: (a) made by United States postal money order, certified check, bank cashier's check or bank money order; (b) made payable to the Securities and Exchange Commission; (c) hand-delivered or mailed to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312; and (d) submitted under cover letter that identifies Defendant Foo as a party in this civil action, and the docket number hereof, a copy of which cover letter and money order or check shall be sent to Harold F. Degenhardt, the District Administrator of the Fort Worth District Office, Securities and Exchange Commission, 801 Cherry Street, Suite 1900, Fort Worth Texas 76102.

III.

The Consent filed herein is hereby incorporated in this Final Judgment with the same force and effect as if fully set forth herein.

IV.

This Court shall retain jurisdiction over this action and over Defendant Foo for all purposes, including for purposes of enforcing the terms of this Final Judgment.

V.

This Final Judgment may be served upon Defendant Foo in person or by mail either by the United States Marshal, by the Clerk of the Court or by any member of the staff of the Commission

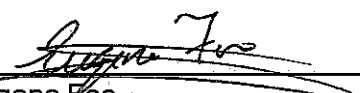
VI.

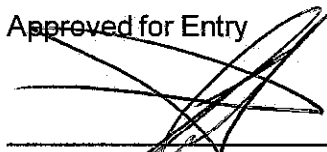
There being no just reason for delay, the Clerk of this Court is hereby directed to enter this Final Judgment pursuant to Rule 54 of the Federal Rules of Civil Procedure.

SIGNED this 8<sup>th</sup> day of August, 2001.

  
UNITED STATES DISTRICT JUDGE

Agreed as to Form and Content

  
Eugene Foo

Approved for Entry  


David Chase  
Sullivan & Rivero  
201 S. Biscayne Blvd.  
Miami Center, Suite 1450  
Miami, Fl. 33131

Attorney for Eugene Foo