

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PALM BEACH DIVISION

CASE NO. 02-80456-CIV-MIDDLEBROOKS/VITUNAC

SECURITIES AND EXCHANGE COMMISSION,)

Plaintiff,)

v.)

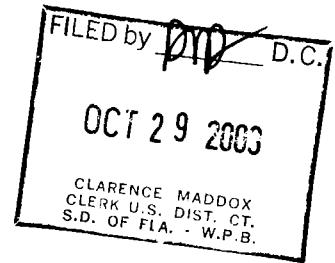
STARCASH, INC.,)
INFINITY CONSULTING SERVICES, INC.,)
JEAN B. LECLERCQ,)
KIP MARSIQUE, and)
FREDERICK J. SHAPIRO,)

Defendants,)

and)

STARCASH CONSULTING, INC.,)
STARCASH INDUSTRIES, INC., and)
STARCASH MEDIA, INC.,)

Relief Defendants.)



**FINAL JUDGMENT SETTING DISGORGEMENT AND IMPOSING
CIVIL PENALTIES AGAINST DEFENDANTS JEAN LECLERCQ,
KIP MARSIQUE, AND FREDERICK SHAPIRO**

THIS MATTER is before the Court on the Plaintiff's Motion to Enter Final Judgment Setting Disgorgement and Penalties (D.E. # 147). The Court has reviewed the motion and the evidence submitted in support of the motion, as well as the entire record in the case, and finds that the evidence supports entry of this Final Judgment Setting Disgorgement and Imposing Civil Penalties against Defendants Jean Leclercq, Kip Marsique, and Frederick Shapiro ("Final Judgment"). Accordingly, it is

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ORDERED AND ADJUDGED that the Plaintiff's motion is **GRANTED**. It is

FURTHER ORDERED AND ADJUDGED that Final Judgment is entered against Defendants Jean Leclercq, Kip Marsique, and Frederick Shapiro, jointly and severally, in the amount of \$7,532,692.78. This amount represents \$6,729,584 in disgorgement, \$443,108.78 in pre-judgment interest from May 16, 2002 through the date of this Final Judgment, and a \$120,000 civil penalty **each** against Leclercq, Marsique, and Shapiro. Leclercq, Marsique, and Shapiro are each jointly and severally liable for the entire amount of the Final Judgment. It is

FURTHER ORDERED AND ADJUDGED that Leclercq, Marsique and Shapiro shall pay the \$6,729,584 in disgorgement plus the \$443,108.78 in pre-judgment interest to the Court-appointed Receiver, Kenneth A. Welt, within thirty (30) days of the date of this Final Judgment, by cashier's check, certified check, or postal money order, under cover of a letter that identifies the name and number of this action and the name of this Court, with a copy to Robert K. Levenson, Esq., counsel of record for the Plaintiff. It is

FURTHER ORDERED AND ADJUDGED that Leclercq, Marsique, and Shapiro shall **each** pay their respective \$120,000 civil penalty within thirty (30) days of entry of this Final Judgment to the Registry of this Court, by cashier's check, certified check, or postal money order, made payable to "Clerk, United States District Court," under cover of a letter that identifies the name and number of this action and the name of this Court, with a copy to Robert K. Levenson, Esq., counsel of record for the Plaintiff. These funds shall be held in the Registry of this Court pending further order of the Court. It is

FURTHER ORDERED AND ADJUDGED That pending full payment by Leclercq, Marsique, and Shapiro of the amounts owed under this Final Judgment:

- a. Leclercq, Marsique and Shapiro, as well as their agents, servants, employees, successors, attorneys-in-fact, and those persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise, including by facsimile transmission or overnight delivery service, and each of them, shall continue to hold and retain within their direct or indirect control, and otherwise prevent any withdrawal, sale, transfer, alienation, pledge, encumbrance, assignment, dissipation, concealment, or other disposition whatsoever (with the exception of transferring assets to either the Registry of the Court or the Receiver) any funds or other assets of Leclercq, Marsique and Shapiro presently held by them (or which they accumulate after this Final Judgment), under their control, or over which they exercise actual or apparent investment or other authority (including signatory authority), in whatever form such assets may presently exist and wherever located;
- b. any financial or brokerage institution or other person or entity holding any funds or other assets in the name, for the benefit, or under the direct or indirect control of Leclercq, Marsique or Shapiro, and which receives actual notice of this Final Judgment by personal service or otherwise, including by facsimile transmission or overnight delivery service, and each of them, shall continue to hold and retain within its control and prohibit the withdrawal, removal, transfer, or other disposition of any such funds or other assets (with the exception of transferring assets to the Registry of the Court or to the Receiver);

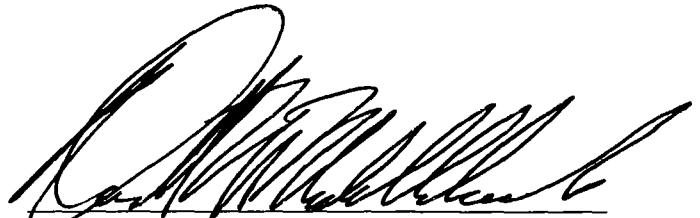
- c. any financial or brokerage institution or other person or entity holding any funds or securities in the name, for the benefit, or under the direct or indirect control of Leclercq, Marsique, or Shapiro, shall deposit to the Registry of this Court, by check made payable to "Clerk, United States District Court," such funds or the liquidated market value of such securities, immediately upon service of this Final Judgment upon them, by personal service or otherwise, including by facsimile transmission or overnight delivery. It is

FURTHER ORDERED AND ADJUDGED that the Commission's civil penalty and disgorgement claims against Defendants Starcash, Inc., and Infinity Consulting Services, Inc., and the Commission's disgorgement claims against Relief Defendants Starcash Consulting, Inc., Starcash Industries, Inc., and Starcash Media, Inc., are dismissed. It is

FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction of this action for all purposes, including the implementation and enforcement of this Final Judgment.

DONE AND ORDERED in Chambers in WFB, Florida, this 29 day of

Oct, 2003



The Hon. Donald Middlebrooks
United States District Judge

Copies to:

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