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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PREMIER MARKETING AND  
INVESTMENTS, INC. AND  
NICHOLAS ROBLEE, a/k/a  
NICHOLAS RICHMOND

Defendants.

FILED  
CLERK, U.S. DISTRICT COURT  
JUL 20 2004  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Case No. CV 03-0342 RGK (JTLx)

~~PROPOSED~~ FINAL JUDGMENT  
OF PERMANENT INJUNCTION  
AND OTHER RELIEF AGAINST  
NICHOLAS ROBLEE

ENTERED  
CLERK, U.S. DISTRICT COURT  
JUL 21 2004  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

DOCKETED ON CM  
JUL 21 2004  
BY \_\_\_\_\_ 004

The motion of Plaintiff Securities and Exchange Commission  
("Commission") for summary judgment against defendant Nicholas Roblee  
("Roblee") came on for hearing before this Court. This Court, having granted  
summary judgment in favor of the Commission and against Defendant Roblee,  
enters this Final Judgment of Permanent Injunction And Other Relief ("Final  
Judgment").

I.

IT IS ORDERED, ADJUDGED AND DECREED that defendant Roblee  
and his officers, agents, servants, employees, attorneys, and all persons in active

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1 concert or participation with any of them, who receive actual notice of this Final  
2 Judgment, by personal service or otherwise, and each of them, are permanently  
3 restrained and enjoined from, directly or indirectly:

4 A. making use of any means or instruments of transportation or  
5 communication in interstate commerce or of the mails to sell the  
6 securities of any issuer, through the use or medium of any prospectus  
7 or otherwise, unless and until a registration statement is in effect as to  
8 such securities;

9 B. carrying or causing to be carried through the mails or in interstate  
10 commerce, by any means or instruments of transportation, for the  
11 purpose of sale or for delivery after sale, the securities of any issuer,  
12 unless and until a registration statement is in effect as to such  
13 securities; and

14 C. making use of any means or instruments of transportation or  
15 communication in interstate commerce or of the mails to offer to sell  
16 or offer to buy, through the use or medium of any prospectus or  
17 otherwise, the securities of any issuer, unless and until a registration  
18 statement has been filed with the Commission as to such securities, or  
19 while a registration statement has been filed with the Commission as  
20 to such securities, or while a registration statement as to such  
21 securities is the subject of a refusal order or stop order or (prior to the  
22 effective date of the registration statement) any public proceeding or  
23 examination under Section 8 of the Securities Act, 15 U.S.C. § 77h;

24 in violation of Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) &  
25 77e(c); provided, however, that nothing in this Judgment shall apply to any  
26 security or transaction which is exempt from the provisions of Section 5 of the  
27 Securities Act, 15 U.S.C. § 77e.

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II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Roblee and his agents, servants, employees, 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 the offer or sale of the securities of any issuer, by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails:

- A. employing any device, scheme or artifice to defraud;
- B. obtaining money or property by means of any untrue statement of a material fact or any omission 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 transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser;

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

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Roblee and his agents, servants, employees, 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:

- 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

SCANNED

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.

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that

Defendant Roblee shall pay disgorgement in the amount of \$4,497,451 representing his ill-gotten gains from the conduct alleged in the Complaint, plus prejudgment interest thereon, calculated pursuant to 28 U.S.C. § 1961, in the amount of \$93,439.29. Defendant Roblee shall pay the disgorgement and prejudgment interest by cashier's check, certified check or postal money order made payable to the Securities and Exchange Commission and transmitted to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, Virginia, 22312, under cover of a letter that identifies the defendant, the name and case number of this litigation, and the court. A copy of the cover letter and the check or money order shall be simultaneously transmitted to counsel for the Commission at its Los Angeles office, located at 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036.

V.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Roblee is assessed, and shall pay to the Commission for delivery to the United States Treasury, civil penalties in the amount of \$120,000 pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d) and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3). Roblee shall pay the above penalty by cashier's check, certified check, or postal money order within thirty (30) days of entry of the Final

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1 Judgment. This payment shall be made payable to the United States Treasury and  
2 shall be transmitted to the Office of Financial Management, Securities and  
3 Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3,  
4 Alexandria, VA 22312, under cover of a letter that identifies the defendant, the  
5 name and case number of this litigation, and the court. Copies of this cover letter  
6 and the certified check shall be simultaneously transmitted to counsel for the  
7 Commission in this action at its Pacific Regional Office.

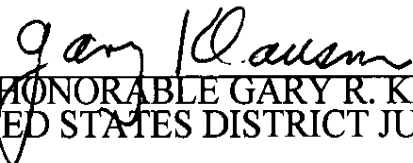
8 VI.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this  
10 Court shall retain jurisdiction over this action for all purposes, including to  
11 implement and enforce the terms of this Final Judgment and other orders and  
12 decrees which may be entered, and to grant such other relief as this Court may  
13 deem necessary and just.


14 \* \* \* \* \*

15 There being no just reason for delay, the Clerk of the Court is hereby  
16 directed to enter this Final Judgment.

17 DATED: JUL 20 2004

18   
19 THE HONORABLE GARY R. KLAUSNER  
20 UNITED STATES DISTRICT JUDGE

21 Presented by:

22   
23 Nicolas Morgan  
24 Attorney for Plaintiff  
25 Securities and Exchange Commission  
26  
27  
28

**PROOF OF SERVICE**

SCANNED

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION, 5670 Wilshire Boulevard, 11<sup>th</sup> Floor, Los Angeles, California 90036.

Telephone: (323) 965-3998 Fax: (323) 965-3908

On June 4, 2004, I served the document entitled **[PROPOSED] FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST DEFENDANT NICHOLAS ROBLEE** upon the parties to this action addressed as stated on the attached service list:

**OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

**PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

**EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

**PERSONAL SERVICE:** I personally delivered the above entitled documents by hand to the office of the addressee in the attached service list.

**FEDERAL EXPRESS:** By placing in sealed envelope(s) designated by Federal Express with delivery fees paid or provided for, which I deposited in a facility regularly maintained by Federal Express or delivered to a Federal Express courier, at Los Angeles, California.

**FAX (BY AGREEMENT ONLY):** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

**(Federal)** I declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made. I declare under penalty of perjury that the foregoing is true and correct

Date: June 4, 2004

Magnolia M. Marcelo  
MAGNOLIA M. MARCELO

SCANNED

**SEC v. PREMIER MARKETING AND INVESTMENTS, INC., et al.**  
**United States District Court - Central District of California**  
**Case No. CV 03-0342 RGK (JTLx)**  
**(LA-2609)**

**SERVICE LIST**

Nicholas Roblee a/k/a Nicholas Richmond  
Inmate Register Number: 27456-013  
Los Angeles MDC  
535 N. Alameda Street  
Los Angeles, CA 90012

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