

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

Civil Action No. 03-cv-00636-WDM-KLM

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

C. JONES & COMPANY,
CARTER ALLEN JONES,
TIMOTHY J. MILES,
GAYLEN P. JOHNSON and
JONATHAN CURSHEN,

Defendants.

FINAL JUDGMENT CONCERNING THE DEFENDANT JONATHAN CURSHEN

The claims in this proceeding against the Defendant Jonathan Curshen were separately tried to the Court on April 30 and May 1, 2007. Pursuant to and in accordance with the Findings of Fact, Conclusions of Law and Orders [#254] filed March 3, 2009, which order is incorporated herein by reference as if fully set forth, it is **ORDERED** as follows:

1. Jonathan Curshen and his officers, agents, servants, employees, representatives, and all persons in active concert or participation with any of them, directly or indirectly, who receive actual notice of this judgment of permanent injunction, by personal service or otherwise, are, permanently

restrained and enjoined from, directly or indirectly, singly or in concert, as aiders and abettors or otherwise, in the offer or sale of any security, by the use of any means or instruments of transportation or communication in interstate commerce or by 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 material fact or omission to state any material fact necessary in order to make the statement made, in light of the circumstances under which it was 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 purchasers or prospective purchasers of any such security;

in violation of Sections 17(a)(1), 17(a)(2) and 17(a)(3) of the Securities Act of 1933, 15 U.S.C. § 77q(a)(1), 77q(a)(2) and 77q(a)(3).

2. Jonathan Curshen, his officers, agents, servants, employees, representatives, and all persons in active concert or participation with any of them, directly or indirectly, who receive actual notice of this judgment of permanent injunction, by personal service or otherwise, are permanently restrained and enjoined from, knowingly and willfully, directly or indirectly, singly or in concert, as aiders and abettors or otherwise, 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 statements of 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.

3. Jonathan Curshen, his officers, agents, servants, employees, representatives, and all persons in active concert or participation with any of them, directly or indirectly, who receive actual notice of this judgment of permanent injunction, by personal service or otherwise, are permanently restrained and enjoined from, directly or indirectly, making use of the mails or any means or instrumentally of interstate commerce to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for a consideration received or to be received, directly or indirectly, from

an issuer, underwriter, or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof in violation of Section 17(b) of the Securities Act of 1933, 15 U.S.C. § 77q(b).

4. Jonathan Curshen is barred from participating in any penny stock offering in accordance with § 15(b)(6)(A) of the Exchange Act.
5. Judgment is **ENTERED** for the Securities and Exchange Commission and against the defendant Jonathan Curshen in the amount of \$66,235, together with prejudgment interest to be determined as provided in the Court's order of March 3, 2009, [#254].
6. IT IS FURTHER ORDERED that post-judgment interest shall accrue at the legal rate of .72% from date of entry of this Judgment.

DATED at Denver, Colorado, this 6th day of March, 2009.

FOR THE COURT:
Gregory C. Langham , Clerk

By: s/ Edward P. Butler
Edward Butler
Deputy Clerk

Approved as to form:

s/ Walker D. Miller
Judge Walker D. Miller