

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

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

12 SECURITIES AND EXCHANGE
13 COMMISSION,

Plaintiff,

v.

15 MANOUCHER SARBAZ;
16 PACIFIC GOLF COMMUNITY
17 DEVELOPMENT, LLC AND LEE
ANDREW HILL,

Defendants.

CASE NO. SA CV 03-0881 CJC (CTx)

JUDGMENT AS TO DEFENDANTS
MANOUCHER SARBAZ AND PACIFIC
GOLF COMMUNITY DEVELOPMENT,
LLC

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☒ Docketed
☒ Copies / NTC Sent
☒ JS - 5 / JS - 6
☒ JS - 2 / JS - 3
☐ CLSD

25 The action having been tried to the Court without jury and the Court having made
26 findings of fact and conclusions of law pursuant to Rule 52, Federal Rules of Civil
27 Procedure, the Court directs judgment for Plaintiff and against Defendants Manoucher
28 Sarbaz and Pacific Golf Community Development, LLC ("Pacific Golf") as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Mr. Sarbaz and
Pacific Golf and their respective agents, servants, employees, and all persons acting in
concert or participation with any of them, who receive actual notice of this Judgment, by
personal service or otherwise, and each of them, are permanently enjoined and restrained

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1 from, directly or indirectly, violating § 10(b) of the Securities Exchange Act of 1934
2 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5]
3 thereunder by:

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- 5 1. employing any device, scheme, or artifice to defraud;
- 6 2. making any untrue statement of a material fact or
- 7 omitting to state a material fact necessary in order to
- 8 make the statements made, in the light of the
- 9 circumstances under which they were made, not
- 10 misleading; or
- 11 3. engaging in any act, practice, or course of business
- 12 which operates or would operate as a fraud or deceit
- 13 upon any person; in connection with the purchase or sale
- 14 of the securities of any issuer, by the use of any means or
- 15 instrumentality of interstate commerce, or of the mails,
- 16 or of any facility of any national securities exchange.
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18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Mr.
19 Sarbaz and Pacific Golf and their respective agents, servants, employees, and all
20 persons acting in concert or participation with any of them, who receive actual
21 notice of this Final Judgment, by personal service or otherwise, and each of them,
22 are permanently enjoined and restrained from violating § 17(a) of the Securities
23 Act [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means
24 or instruments of transportation or communication in interstate commerce or by use
25 of the mails, directly or indirectly:

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- 27 1. to employ any device, scheme, or artifice to defraud;
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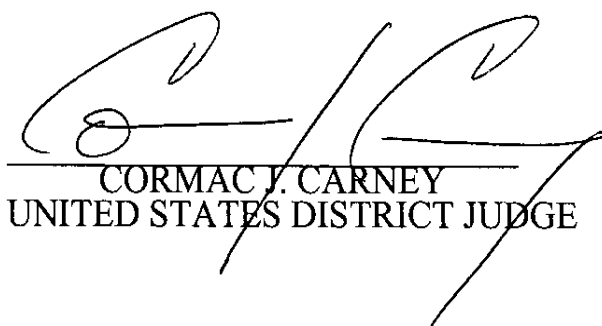
- 2 to obtain money or property by means of any untrue
statement of a material fact or any omission of a material
fact necessary in order to make the statements made, in
light of the circumstances under which they were made,
not misleading; or
3. to engage in any transaction, practice, or course of business
which operates or would operate as a fraud or deceit upon the
purchaser.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
that Mr. Sarbaz pay to the United States Treasury the sum of nine hundred eighty
thousand dollars (\$980,000) pursuant to 15 U.S.C. §§ 77t(d)(2)(C) and
78u(d)(3)(B)(iii).

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
that Pacific Golf pay to the United States Treasury the sum of four million nine
hundred thousand dollars (\$4,900,000) pursuant to 15 U.S.C. §§ 77t(d)(2)(C) and
78u(d)(3)(B)(iii).

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

Dated: September 21, 2004


CORMAC J. CARNEY
UNITED STATES DISTRICT JUDGE