

1 KAREN MATTESON, Cal. Bar No. 102103  
2 KELLY BOWERS, Cal. Bar No. 164007  
3 MARTIN J. MURPHY, Cal. Bar No. 130693  
4 ADAM SCHNEIR, Cal. Bar No. 169265

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FILED  
CLERK, U.S. DISTRICT COURT  
APR 23 2003  
CENTRAL DISTRICT OF CALIFORNIA  
BY *D* DEPUTY

Attorneys for Plaintiff  
Securities and Exchange Commission  
Randall R. Lee, Regional Director  
Sandra J. Harris, Associate Regional Director  
5670 Wilshire Boulevard, 11th Floor  
Los Angeles, California 90036-3648  
Telephone: (323) 965-3998  
Facsimile: (323) 965-3908

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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

*R*

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

JOHN C. BOHAN, et al.,

Defendants.

Case No.

*Cv* 03-2834(RNB),

FINAL JUDGMENT OF  
PERMANENT INJUNCTION AND  
OTHER RELIEF AGAINST  
LUCREZIA BICKERTON

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

18 Plaintiff Securities and Exchange Commission ("Commission"), having  
19 filed and served upon Defendant Lucrezia Bickerton ("Bickerton") a Summons  
20 and Complaint in this action; Bickerton having admitted service upon her of the  
21 Summons and Complaint in this action and the jurisdiction of this Court over her  
22 and over the subject matter of this action; having been fully advised and informed  
23 of her right to a judicial determination of this matter; having waived the entry of  
24 findings of fact and conclusions of law as provided by Rule 52 of the Federal  
25 Rules of Civil Procedure; having consented to the entry of this Final Judgment Of  
26 Permanent Injunction And Other Relief Against Lucrezia Bickerton ("Final  
27 Judgment") without admitting or denying the allegations in the Complaint, except  
28 as specifically set forth in the Consent Of Lucrezia Bickerton To Entry Of Final

ENTERED  
CLERK, U.S. DISTRICT COURT  
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4-24-03  
CENTRAL DISTRICT OF CALIFORNIA  
BY *R*

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1 Judgment Of Permanent Injunction And Other Relief (“Consent”); no notice of  
2 hearing upon the entry of this Final Judgment being necessary; and this Court  
3 being fully advised:

4 **I.**

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Bickerton  
6 and her agents, servants, employees and attorneys, and all persons in active  
7 concert or participation with any of them who receive actual notice of this Final  
8 Judgment by personal service or otherwise, and each of them, are permanently  
9 restrained and enjoined from, directly or indirectly, in the offer or sale of any  
10 securities, by the use of any means or instruments of transportation or  
11 communication in interstate commerce or by use of the mails:

- 12 A. employing any device, scheme or artifice to defraud;  
13 B. obtaining money or property by means of any untrue statement of a  
14 material fact or any omission to state a material fact necessary in  
15 order to make the statements made, in light of the circumstances  
16 under which they were made, not misleading; or  
17 C. engaging in any transaction, practice, or course of business which  
18 operates or would operate as a fraud or deceit upon the purchaser;

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

21 **II.**

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
23 Bickerton and her agents, servants, employees and attorneys, and all persons in  
24 active concert or participation with any of them who receive actual notice of this  
25 Final Judgment by personal service or otherwise, and each of them, are  
26 permanently restrained and enjoined from, directly or indirectly, in connection  
27 with the purchase or sale of any security, by the use of any means or  
28 instrumentality of interstate commerce, or of the mails, or of any facility of any

1 national securities exchange:

- 2 A. employing any device, scheme, or artifice to defraud;
- 3 B. making any untrue statement of a material fact or omitting to state a  
4 material fact necessary in order to make the statements made, in the  
5 light of the circumstances under which they were made, not  
6 misleading; or
- 7 C. engaging in any act, practice, or course of business which operates or  
8 would operate as a fraud or deceit upon any person;

9 in violation of Section 10(b) of the Securities Exchange Act of 1934 ("Exchange  
10 Act"), 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5.

11 **III.**

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
13 Bickerton and her agents, servants, employees and attorneys, and all persons in  
14 active concert or participation with any of them who receive actual notice of this  
15 Final Judgment by personal service or otherwise, and each of them, are  
16 permanently restrained and enjoined from filing, or causing to be filed, annual  
17 reports with the Commission on Forms 10-K and quarterly reports with the  
18 Commission on Forms 10-Q that fail to contain material information necessary to  
19 make the required statements in the Forms 10-K or 10-Q, in light of the  
20 circumstances under which they are made, not misleading, in violation of Section  
21 13(a) of the Exchange Act, 15 U.S.C. § 78m(a), and Rules 12b-20, 13a-1 and 13a-  
22 13 thereunder, 17 C.F.R. §§ 240.12b-20, 240-13a-1 & 240.13a-13.

23 **IV.**

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
25 Bickerton and her agents, servants, employees and attorneys, and all persons in  
26 active concert or participation with any of them who receive actual notice of this  
27 Final Judgment by personal service or otherwise, and each of them, are  
28 permanently restrained and enjoined from knowingly circumventing or knowingly

1 failing to implement a system of internal accounting controls or falsifying any  
2 book, record or account required to be kept by an issuer, in violation of Section  
3 13(b)(5) of the Exchange Act, 15 U.S.C. § 78m(b)(5), and Rule 13b2-1  
4 thereunder, 17 C.F.R. § 240.13b2-1.

5 V.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
7 Bickerton and her agents, servants, employees and attorneys, and all persons in  
8 active concert or participation with any of them who receive actual notice of this  
9 Final Judgment by personal service or otherwise, and each of them, are  
10 permanently restrained and enjoined from, directly or indirectly, while an officer  
11 or director of an issuer:

- 12 A. making or causing to be made a materially false or misleading  
13 statement; or  
14 B. omitting to state, or causing another person to omit to state, any  
15 material fact necessary in order to make statements made, in light of  
16 the circumstances under which such statements were made, not  
17 misleading;

18 to an accountant in connection with:

- 19 1. an audit or examination of the financial statements of the issuer  
20 required to be made, or  
21 2. the preparation or filing of any document or report required to  
22 be filed with the Commission;

23 in violation of Exchange Act Rule 13b2-2, 17 C.F.R. § 240.13b2-2.

24 VI.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
26 Bickerton pay disgorgement in the amount of \$69,761, plus prejudgment interest  
27 calculated pursuant to 28 U.S.C. § 1961. Based upon Bickerton's sworn  
28 representations in her Statement Of Financial Condition dated February 14, 2003,

1 and submitted to the Commission, payment of all but \$11,000 of the disgorgement  
2 and interest is waived. The partial waiver of disgorgement and interest is  
3 contingent upon the accuracy and completeness of Bickerton's Statement Of  
4 Financial Condition. If at any time following the entry of this Final Judgment the  
5 Commission obtains information indicating that Bickerton's representations to the  
6 Commission concerning her assets, income, liabilities or net worth were  
7 fraudulent, misleading, inaccurate or incomplete in any material respect as of the  
8 time such representations were made, the Commission may, at its sole discretion  
9 and without prior notice to Bickerton, petition this Court for an order modifying  
10 this Final Judgment to require payment of additional disgorgement and  
11 prejudgment and postjudgment interest on all disgorgement ordered. In  
12 connection with any such petition, the only issue shall be whether the financial  
13 information provided by Bickerton was fraudulent, misleading, inaccurate or  
14 incomplete in any material respect as of the time such representations were made.  
15 In its petition, the Commission may move this Court to consider all available  
16 remedies, including, but not limited to, ordering Bickerton to disgorge funds or  
17 assets, or sanctions for contempt of this Final Judgment. The Commission may  
18 also request additional discovery. Bickerton may not, by way of defense to such  
19 petition: (1) challenge the validity of her Consent or this Final Judgment; (2)  
20 contest the allegations in the Complaint filed by the Commission; (3) assert that  
21 payment of disgorgement and prejudgment and postjudgment interest should not  
22 be ordered; (4) contest the amounts of disgorgement and prejudgment and  
23 postjudgment interest; or (5) assert any defense to liability or remedy, including,  
24 but not limited to, any statute of limitations defense.

25 **VII.**

26 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
27 Bickerton shall pay the \$11,000 in disgorgement within sixty days of the date this  
28 Final Judgment is entered. The disgorgement shall be paid by cashier's check,

1 certified check or postal money order payable to the Clerk of this Court, together  
2 with a cover letter that identifies the defendant, the name and case number of this  
3 litigation and the court. A copy of the cover letter shall be simultaneously  
4 transmitted to counsel for the Commission in this action at the Commission's  
5 Pacific Regional Office in Los Angeles, California. By making this payment,  
6 Bickerton relinquishes all legal and equitable right, title, and interest in such  
7 funds, and no part of the funds shall be returned to Bickerton. The Clerk shall  
8 deposit the funds into an interest bearing account with the Court Registry  
9 Investment System ("CRIS"). These funds, together with any interest and income  
10 earned thereon (collectively, the "Fund"), shall be held by the CRIS until further  
11 order of the Court. In accordance with the guidelines set by the Director of the  
12 Administrative Office of the United States Courts, the Clerk is directed, without  
13 further order of this Court, to deduct from the income earned on the money in the  
14 Fund a fee equal to ten percent of the income earned on the Fund. Such fee shall  
15 not exceed that authorized by the Judicial Conference of the United States. The  
16 Commission may propose a plan to distribute the Fund subject to the Court's  
17 approval.

18 **VIII.**

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
20 Bickerton, pursuant to Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e), and  
21 Section 21(d)(2) of the Exchange Act, 15 U.S.C. § 78u(d)(2), is prohibited for a  
22 period of ten years from the date of entry of this Final Judgment from acting as an  
23 officer or director of any issuer that has a class of securities registered with the  
24 Commission pursuant to Section 12 of the Exchange Act, 15 U.S.C. § 78l, or that  
25 is required to file reports with the Commission pursuant to Section 15(d) of the  
26 Exchange Act, 15 U.S.C. § 78o(d).

27 **IX.**

28 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the

1 provisions of the Consent filed concurrently with this Final Judgment are  
2 incorporated herein with the same force and effect as if fully set forth herein and  
3 that Bickerton shall comply with her Consent.

4 **X.**

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that during  
6 the pendency of this action against any defendant, Bickerton shall remain subject  
7 to the discovery provisions of the Federal Rules of Civil Procedure which apply to  
8 parties, and, in addition, that Bickerton shall appear, without the service of a  
9 subpoena, and without regard to any discovery cut-off date or other restrictions on  
10 discovery imposed by the Federal Rules of Civil Procedure or the Local Rules of  
11 this Court, for deposition or to testify as a witness at any trial of this action or any  
12 other related proceeding. Failure to comply with the foregoing will subject  
13 Bickerton to the remedies and sanctions set forth in Rule 37 of the Federal Rules  
14 of Civil Procedure and all other available remedies.

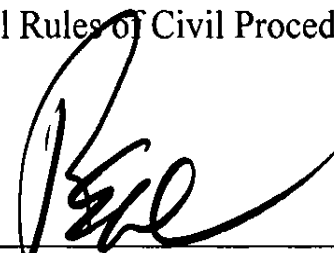
15 **XI.**

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this  
17 Court shall retain jurisdiction over this action for all purposes, including  
18 implementing and enforcing the terms of this Final Judgment and all other orders  
19 and decrees which have been or may be entered in this case, and granting such  
20 other relief as the Court may deem necessary and just.

21 **XII.**

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

25  
26 DATED: April 23, 2003

27   
28 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I, Magnolia M. Marcelo, am over the age of eighteen years, am not a party to this action, and am a citizen of the United States. My business address is 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California, 90036. On April 23, 2003, I caused to be served the **FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF AGAINST LUCREZIA BICKERTON** by causing to be mailed true and correct copies thereof in sealed envelopes, postage prepaid, addressed to:

John B. Missing, Esq.  
Debevoise & Plimpton  
555 13<sup>th</sup> Street, N.W.  
Washington, DC 20004  
*Counsel for Defendant John C. Bohan*

Nathan J. Hochman, Esq.  
Hochman, Salkin, Rettig, Toscher & Perez, P.C.  
9150 Wilshire Boulevard, Suite 300  
Beverly Hills, CA 90212-3414  
*Counsel for Defendant Lucrezia Bickerton*

Gerald E. Boltz, Esq.  
Bryan Cave LLP  
120 Broadway, Suite 300  
Santa Monica, CA 90401-2386  
*Counsel for Defendant Mark D. Roah*

George B. Newhouse, Jr., Esq.  
Thelen Reid & Priest LLP  
333 S. Hope Street, Suite 2900  
Los Angeles, CA 90071-3048  
*Counsel for Defendant Chantel J. Loo*

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 23, 2003

*Magnolia M. Marcelo*  
\_\_\_\_\_  
Magnolia M. Marcelo