

ORIGINAL

1 HELANE L. MORRISON (State Bar No. 127752)  
2 ROBERT MITCHELL (State Bar No. 161354)  
3 KATHLEEN K. BISACCIA (State Bar No. 157324)

**FILED**

OCT 17 2003

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK

4 Attorneys for Plaintiff  
5 SECURITIES AND EXCHANGE COMMISSION  
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**LODGED**

OCT 15 2003

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

*File by FAX*

12 SECURITIES AND EXCHANGE COMMISSION,  
13 Plaintiff,  
14 vs.  
15 JOEL M. HARRIS and ANNE H. LONG,  
16 Defendants.

Civil Action No.  
CIV.S-03-2169 MCE PAN

[PROPOSED] FINAL JUDGMENT OF  
PERMANENT INJUNCTION AND OTHER  
RELIEF AGAINST DEFENDANT ANNE H.  
LONG

19 Plaintiff United States Securities and Exchange Commission ("Commission") has filed  
20 its Complaint for Permanent Injunction and Legal and Other Equitable Relief ("Complaint") in this  
21 action. Defendant Anne H. Long ("Long"), who was represented by her counsel, has submitted a  
22 Consent of Anne H. Long to Entry of Final Judgment ("Consent"), which was filed simultaneously  
23 with this [Proposed] Final Judgment of Permanent Injunction and Other Relief Against Defendant  
24 Anne H. Long ("Final Judgment") and incorporated herein by reference. In the Consent, without  
25 admitting or denying any of the allegations in the Complaint except as set forth in the Consent, Long  
26 acknowledged service of the Summons and the Complaint upon her, admitted the jurisdiction of this  
27 Court over her and over the subject matter of this action, admitted that she was fully advised and  
28 informed of the right to a judicial determination of this matter, waived findings of fact and

1 conclusions of law as provided by Rule 52 of the Federal Rules of Civil Procedure, consented to the  
2 entry of this Final Judgment, and waived notice of hearing upon the entry of this Final Judgment.

3 The Court, being fully advised in the premises, orders as follows.

4 I.

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant Long, her agents,  
6 servants, employees, attorneys, assigns, and all persons in active concert or participation with them  
7 who receive actual notice of this order by personal service or otherwise, and each of them, are  
8 permanently enjoined and restrained from violating Sections 13(b)(5) of the Securities Exchange Act  
9 of 1934 ("Exchange Act") [15 U.S.C. § 78m(b)(5)] and Rules 13b2-1 and 13b2-2 thereunder [17  
10 C.F.R. §§ 240.13b2-1 and 240.13b2-2] by, directly or indirectly, knowingly circumventing or failing  
11 to implement a system of internal accounting controls or knowingly falsifying any book, record, or  
12 account described therein, or, while an officer or director of an issuer, making or causing to be made  
13 a materially false or misleading statement, or omitting or cause another person to omit to state any  
14 material fact necessary in order to make statements made not misleading to an accountant in  
15 connection with an audit or examination of financial statements of the issuer or the preparation or  
16 filing of a report or document required to be filed with the Commission.

17 II.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Long, her agents,  
19 servants, employees, attorneys, assigns, and all persons in active concert or participation with them who  
20 receive actual notice of this order by personal service or otherwise are permanently restrained and  
21 enjoined from violating, directly or indirectly, Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)]  
22 and Rules 12b-20 and 13a-13 [17 C.F.R. §§ 240.12b-20 and 240.13a-13], by causing any issuer that has  
23 securities registered pursuant to Section 12 of the Exchange Act or which is required to file annual  
24 reports pursuant to Section 13 of the Exchange Act, to file with the Commission quarterly reports on  
25 Forms 10-Q that contain untrue statements of material fact or omit to state material information  
26 required to be stated therein or necessary in order to make the required statements made, in light of the  
27 circumstances under which they were made, not misleading.

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1 III.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Long, her  
3 agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with  
4 them who receive actual notice of this Final Judgment by personal service or otherwise are  
5 permanently restrained and enjoined from, directly or indirectly, knowingly providing substantial  
6 assistance to another person in violation of Section 13(b)(2)(A) of the Exchange Act [15 U.S.C. §  
7 78m(b)(2)(A)], by causing any issuer which has a class of securities registered pursuant to Section 12  
8 of the Exchange Act [15 U.S.C. §781] or Section 15(d) of the Exchange Act [15 U.S.C. § 78o] to fail  
9 to make and keep books, records, or accounts, which, in reasonable detail, accurately and fairly  
10 reflect the transactions and dispositions of the assets of the issuer.

11 IV.

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Long shall pay a civil  
13 penalty in the amount of \$35,000.00 pursuant to the provisions of Section 21(d)(3) of the Exchange  
14 Act [15 U.S.C. § 78(u)(d)(3)]. Defendant shall make this payment within ten business days after  
15 entry of this Final Judgment. Payment shall be made by certified check, bank cashier's check, or  
16 United States postal money order payable to the Securities and Exchange Commission. The payment  
17 shall be delivered or mailed to the Office of Financial Management, Securities and Exchange  
18 Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia  
19 22312, and shall be accompanied by a letter identifying Anne H. Long as a defendant in this action;  
20 setting forth the title and civil action number of this action and the name of this Court; and specifying  
21 that payment is made pursuant to this Judgment. Defendant shall simultaneously transmit photocopies  
22 of such payment and letter to the attention of Helene Morrison, District Administrator, at the  
23 Commission's San Francisco District Office, 44 Montgomery Street, Suite 1100, San Francisco, CA  
24 94104.

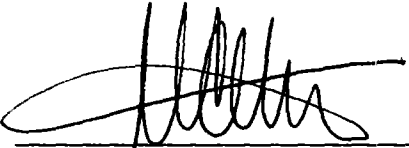
V.

1  
2 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions of Long's  
3 Consent filed concurrently with this Judgment are incorporated by this reference, that Long shall  
4 comply with the Consent and that a breach of the terms of the Consent therefore shall constitute a  
5 failure to adhere to the terms of this Final Judgment.

6 VI.


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

11  
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13  
14 Dated: October 16, 2003

  
United States District Court Judge

MORRISON C. ENGLAND, JR.

15  
16  
17  
18  
19 APPROVED AS TO FORM:

20  July 26, 2003

21 William P. Keane, Esq.  
22 Farella Braun + Martel LLP  
23 Russ Building  
24 235 Montgomery Street  
25 San Francisco, CA 94104  
26 415-954-4908  
27 Counsel for Defendant Anne H. Long  
28

United States District Court  
for the  
Eastern District of California  
October 17, 2003

\* \* CERTIFICATE OF SERVICE \* \*

2:03-cv-02169

Securities and Excha

v.

Harris

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on October 17, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Kathleen K Bisaccia  
NOT EDCA ADMITTED  
Securities and Exchange Commission  
44 Montgomery Street, Suite 1100  
San Francisco, CA 94104

AS/MCE

Robert Charles Friese  
Shartsis Friese and Ginsburg  
One Maritime Plaza, 18th Floor  
San Francisco, CA 94111

William P Keane  
Farella Braun and Martel  
235 Montgomery Street, Suite 3000  
San Francisco, CA 94104

Jack L. Wagner, Clerk

BY:   
Deputy Clerk