

Honorable John C. Coughenour

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

TERRY RICHARD MARTIN,  
JOHN WHITE, *et al.*

Defendants.

C03-2646-JCC

**FINAL JUDGMENT AS TO  
DEFENDANT JOHN WHITE**

This matter comes before the Court on Defendant John White's consent to entry of final judgment (Dkt. No. 182). In the consent, Defendant admitted the jurisdiction of this Court over the subject matter of this action and over his person, acknowledged that he was informed of his right to a judicial determination of this matter, waived findings of fact and conclusions of law as provided by Rule 52 of the Federal Rules of Civil Procedure, and consented to the entry of judgment. Defendant waived notice of hearing upon the entry of final judgment.

1 **I. FINAL JUDGMENT**

2 Based on Defendant's statement of financial condition submitted July 30, 2009, the Court hereby  
3 DECLARES that Defendant need not pay a civil penalty. This determination is contingent upon the  
4 accuracy and completeness of the statement of financial condition. If Plaintiff obtains information  
5 indicating that Defendant's statements were inaccurate or incomplete when made, Plaintiff may petition  
6 this Court for the maximum penalty allowable under law. This Court shall consider all potential  
7 remedies, including forfeiture of assets and contempt of this judgment. If Plaintiff files such a petition,  
8 Defendant may not challenge the validity of this final judgment, contest the allegations Plaintiff made in  
9 the complaint, or assert any defense to liability, including any defense sounding in the statute of  
10 limitations.

11 The Court hereby ORDERS:

12 1. Defendant and his agents, servants, employees, and all persons acting in concert or participation  
13 with them, who receive actual notice of this final judgment, by personal service or otherwise, are  
14 permanently enjoined and restrained from directly or indirectly violating Section 10(b) of the  
15 Securities Exchange Act of 1934 and Rule 10b-5 thereunder. *See* 15 U.S.C. § 78j(b); 17 C.F.R. §  
16 240.10b-5.

17 In connection with the purchase or sale of the securities of any issues, by use of any means or  
18 instrumentality of interstate commerce, the aforementioned individuals shall not:

- 19 (a) employ any device, scheme, or artifice to defraud;  
20 (b) make any untrue statement of material fact, or fail to make any statement of material fact  
21 necessary to prevent their statements from misleading others;  
22 (c) engage in any act, practice, or course of business which operates as a fraud or deceit upon  
23 any person.

24 2. Defendant and his agents, servants, employees, and all persons acting in concert or participation  
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1 with them, who receive actual notice of this final judgment, by personal service or otherwise, are  
2 permanently enjoined and restrained from directly or indirectly violating Section 17(a) of the  
3 Securities Exchange of Act of 1934.

4 In the offer or sale of any security, by use of any means of instrumentality of interstate  
5 commerce, the aforementioned individuals shall not:

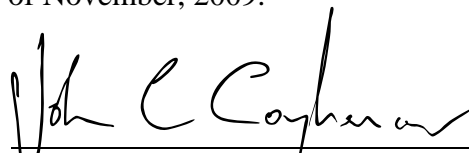
- 6 (a) employ any device, scheme, or artifice to defraud;  
7 (b) make any untrue statement of material fact, or fail to make any statement of material fact  
8 necessary to prevent their statements from misleading others;  
9 (c) engage in any act, practice, or course of business which operates as a fraud or deceit upon  
10 any person.

11 The Court FURTHER ORDERS that the provisions of Defendant's consent are incorporated as  
12 part of this judgment. Failure to comply with the terms of the consent therefore constitute a failure to  
13 comply with the terms of this judgment.

14 **II. CONCLUSION**

15 This matter comes before the Court on Defendant's consent to entry of judgment. (Dkt. No. 182).  
16 The Court hereby enters final judgment in this case for Defendant John White, consistent with the above  
17 conditions.

18  
19 SO ORDERED this 19th day of November, 2009.

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22 JOHN C. COUGHENOUR  
23 United States District Judge  
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