

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

Civ. Act. No. 04 0378

v.

NIKOLAI SAFAVI,

Defendant.

**FINAL JUDGMENT AS TO DEFENDANT
NIKOLAI SAFAVI**

The United States Securities and Exchange Commission having filed a Complaint and Defendant Nikolai Safavi (“Safavi”) having entered a general appearance; consented to the Court’s jurisdiction over Safavi and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Safavi and Safavi’s agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R.

§§ 240.10b-5] in the purchase or sale of any security by the use of any means or instruments of interstate commerce, or of the mails, or of a facility of a national security exchange, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) make untrue statements of material fact or omit to state material facts necessary in order to make the statements, in light of the circumstances under which they are made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser or seller.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Safavi shall pay a civil penalty in the amount of \$25,000 pursuant to Section 21(d)(3) of the Exchange Act, [15 U.S.C. § 78u(d)(3)]. Defendant Safavi shall make this payment within ten (10) business days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Nikolai Safavi as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment.

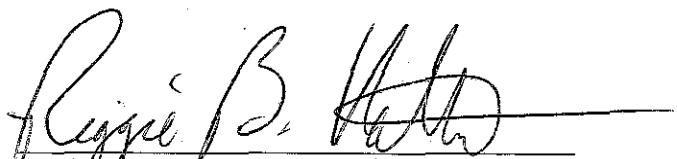
III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is incorporated herein with the same force and effect as if fully set forth herein, and that Safavi shall comply with all of the undertakings and agreements set forth therein.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

Dated: March 18, 2004



REGGIE B. KETH
UNITED STATES DISTRICT JUDGE