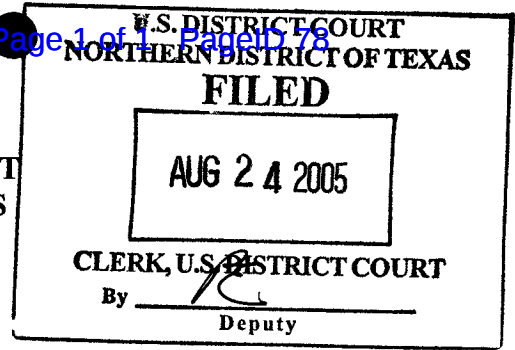


ORIGINAL



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

CHARLES DWAIN DAVIS, JR.

Defendant.

§
§
§
§
§
§
§

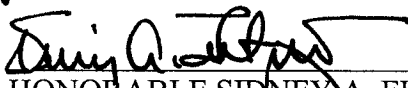
Civil No. 3:04-CV-1023-D

**ORDER ON PLAINTIFF'S APPLICATION FOR ORDER
OF DISGORGEMENT, PREJUDGMENT INTEREST AND CIVIL PENALTY**

The Court hereby GRANTS the Plaintiff's Application for Order of Disgorgement, Prejudgment Interest and Civil Penalty.

IT IS HEREBY ORDERED, that Defendant Charles Dwain Davis, Jr., shall pay \$1,955,043 in disgorgement, plus prejudgment interest of \$195,468, and a civil penalty of ~~120~~ ³⁰ \$120,000, within ~~75~~ ³⁰ days of the issuance of this Order. Defendant shall make this payment 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 Charles Dwain Davis Jr., 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 Order. Defendant shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action.

SO ORDERED this 24th day of August, 2005.


HONORABLE SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE