

1 ROBERTO A. TERCERO, Cal. Bar No., 143760
Attorney for Plaintiff
2 Securities and Exchange Commission
Randall R. Lee, Regional Director
3 Michele Wein Layne, Associate Regional Director
5670 Wilshire Boulevard, 11th Floor
4 Los Angeles, California 90036
Telephone: (323) 965-3998
5 Telephone: (323) 965-3891 (Tercero)
Facsimile: (323) 965-4513
6 E-Mail: TerceroR@sec.gov

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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 GLOBAL HEALTH; GLOBAL CLEARING;
16 GLOBAL STRATEGIES; GOLDMAN
QUINTERO & ASSOCIATES; VINCE DORY;
and JOSHUA ADAMS,

17 Defendants.
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Case No. 04 CV 1802 JM (BLM)

**AMENDED FINAL JUDGMENT
AS TO DEFENDANTS
VINCE DORY AND JOSHUA ADAMS**

19 The Ex Parte Application of Plaintiff Securities and Exchange Commission (“Commission”),
20 pursuant to Rules 59(e) and 60(a) of the Federal Rules of Civil Procedure, to Alter or Amend the Final
21 Judgment as to Defendants Vince Dory and Joshua Adams (“Final Judgment”) against Defendants
22 Vince Dory and Joshua Adams (collectively “Defendants”) came on for hearing before this Court. This
23 Court, having granted the application in favor of the Commission and against the Defendants, enters this
24 Amended Final Judgment as to Defendants Vince Dory and Joshua Adams (“Amended Final
25 Judgment”). The Amended Final Judgment supersedes the Final Judgment entered by the Court on
26 February 14, 2007.

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I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants and Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Amended Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were 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 any person.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants and Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Amended Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or

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1 (c) to engage in any transaction, practice, or course of business which operates or would
2 operate as a fraud or deceit upon the purchaser.

3 III.

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants and
5 Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation
6 with them who receive actual notice of this Amended Final Judgment by personal service or otherwise
7 are permanently restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e]
8 by, directly or indirectly, in the absence of any applicable exemption:

9 (a) Unless a registration statement is in effect as to a security, making use of any means or
10 instruments of transportation or communication in interstate commerce or of the mails to sell
11 such security through the use or medium of any prospectus or otherwise;

12 (b) Unless a registration statement is in effect as to a security, carrying or causing to be
13 carried through the mails or in interstate commerce, by any means or instruments of
14 transportation, any such security for the purpose of sale or for delivery after sale; or

15 (c) Making use of any means or instruments of transportation or communication in interstate
16 commerce or of the mails to offer to sell or offer to buy through the use or medium of any
17 prospectus or otherwise any security, unless a registration statement has been filed with the
18 Commission as to such security, or while the registration statement is the subject of a refusal
19 order or stop order or (prior to the effective date of the registration statement) any public
20 proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

21 IV.

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants and
23 Defendants' agents, servants, employees, attorneys, and all persons in active concert or participated with
24 them who receive actual notice of this Amended Final Judgment by personal service or otherwise are
25 permanently restrained and enjoined from violating Section 15(a) of the Exchange Act [15 U.S.C. §
26 78o(a)] by, directly or indirectly, in the absence of any applicable exemption, engaging in the business
27 of a broker or a dealer by making use of the mails or any means or instrumentality of interstate

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1 commerce to induce the purchase or sale of, any security (in the absence of an applicable exemption),
2 without being associated with a broker-dealer that has been registered with the Commission.

3 V.

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants are
5 jointly and severally liable with each other for disgorgement of \$247,250, representing profits gained as
6 a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the
7 amount of \$11,929.63, for a total of \$259,179.63. Defendants shall satisfy this obligation by paying
8 \$259,179.63 within ten (10) business days after entry of this Amended Final Judgment by certified
9 check, bank cashier's check, or United States postal money order payable to the Securities and
10 Exchange Commission. The payment shall be delivered or mailed to the Office of Financial
11 Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail
12 Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying the paying
13 Defendant's name as a defendant in this action; setting forth the title and civil action number of this
14 action and the name of this Court; and specifying that payment is made pursuant to this Amended Final
15 Judgment. A copy of the payment and letter shall be served upon counsel for the Commission in this
16 action. Defendants shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C.
17 § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States
18 Treasury.

19 VI.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Vince Dory shall
21 separately pay a civil penalty in the amount of \$120,000 pursuant to Section 20(d) of the Securities Act
22 [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant
23 Vince Dory shall make this payment within ten (10) business days after entry of this Amended Final
24 Judgment by certified check, bank cashier's check, or United States postal money order payable to the
25 Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of
26 Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green
27 Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Vince
28 Dory as a defendant in this action; setting forth the title and civil action number of this action and the

1 name of this Court; and specifying that payment is made pursuant to this Amended Final Judgment. A
2 copy of the payment and letter shall be served upon counsel for the Commission in this action.
3 Defendant Vince Dory shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC
4 § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States
5 Treasury.


6 VII.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Joshua Adams
8 shall separately pay a civil penalty in the amount of \$120,000 pursuant to Section 20(d) of the Securities
9 Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant
10 Joshua Adams shall make this payment within ten (10) business days after entry of this Amended Final
11 Judgment by certified check, bank cashier's check, or United States postal money order payable to the
12 Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of
13 Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green
14 Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying
15 Joshua Adams as a defendant in this action; setting forth the title and civil action number of this action
16 and the name of this Court; and specifying that payment is made pursuant to this Amended Final
17 Judgment. A copy of the payment and letter shall be served upon counsel for the Commission in this
18 action. Defendant Joshua Adams shall pay post-judgment interest on any delinquent amounts pursuant
19 to 28 USC § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United
20 States Treasury.

21 VIII.

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

24 DATED: April 11, 2007

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27 JEFFREY T. MILLER
28 United States District Judge