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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

12 SECURITIES AND EXCHANGE COMMISSION, Case No. C-04-4088-CW (EMC)

13 Plaintiff,

14 v.

FINAL JUDGMENT AGAINST BRUCE RIGIONE

15 JEREMY R. LENT, JOHN V. HASHMAN, YINZI
16 CAI, DOUGLAS WACHTEL and BRUCE RIGIONE,

17 Defendants,

18 THE LENT FAMILY TRUST,

19 Relief Defendant.

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21 The Securities and Exchange Commission having filed a Complaint and Defendant Bruce
22 Rigione (“Defendant”) having signed a Consent of Defendant Bruce Rigione to Entry of Final
23 Judgment (“Consent”), in which he entered a general appearance; consented to the Court’s
24 jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final
25 Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction);
26 waived findings of fact and conclusions of law; and waived any right to appeal from this Final
27 Judgment:
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I.

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2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant's
3 agents, servants, employees, attorneys-in-fact, 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 violating, directly or indirectly, Section 10(b) of the
6 Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5
7 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate
8 commerce, or of the mails, or of any facility of any national securities exchange, in connection with
9 the purchase or sale of any security:

10 (a) to employ any device, scheme, or artifice to defraud;

11 (b) to make any untrue statement of a material fact or to omit to state a material fact
12 necessary in order to make the statements made, in the light of the circumstances
13 under which they were made, not misleading; or

14 (c) to engage in any act, practice, or course of business which operates or would
15 operate as a fraud or deceit upon any person.

II.

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17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant and his
18 agents, servants, employees and attorneys-in-fact, and all persons in active concert or participation
19 with any of them, who receive actual notice of this Final Judgment, by personal service or otherwise,
20 and each of them, are permanently enjoined and restrained from aiding and abetting any violation of
21 Section 13(a) of the Exchange Act [15 U.S.C. § 78m(a)] and Rules 12b-20, 13a-1 and 13a-13
22 promulgated thereunder [17 C.F.R. §§ 240.12b-20, 240.13a-1, 240.13a-13] by knowingly providing
23 substantial assistance to an issuer which has a class of securities registered pursuant to Section 12 of
24 the Exchange Act [15 U.S.C. § 78l] or Section 15(d) of the Exchange Act [15 U.S.C. § 78o] in failing
25 to file with the Commission such accurate and complete information, reports, and documents as are
26 required to be filed with the Commission pursuant to Section 13(a) of the Exchange Act [15 U.S.C. §
27 78m(a)] and the Rules thereunder, including but not limited to, annual reports on Form 10-K [17
28 C.F.R. § 249.310] as prescribed by Exchange Act Rule 13a-1 [17 C.F.R. § 240.13a-1], quarterly

1 reports on Form 10-Q [17 C.F.R. § 249.308a] as prescribed by Exchange Act Rule 13a-13 [17 C.F.R.
2 § 240.13a-13], such information and documents to contain, in addition to such information as is
3 expressly required to be included in a statement or report to the Commission, such further material
4 information, if any, as may be necessary to make the required statements, in the light of the
5 circumstances under which they are made, not misleading, as prescribed by Rule 12b-20 of the
6 Exchange Act[17 C.F.R. § 240.12b-20].

7 III.

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant and his
9 agents, servants, employees and attorneys-in-fact, and all persons in active concert or participation
10 with any of them, who receive actual notice of this Final Judgment, by personal service or otherwise,
11 and each of them, are permanently enjoined and restrained from aiding and abetting any violation of
12 Section 13(b)(2)(A) of the Exchange Act [15 U.S.C. § 78m(b)(2)(A)] by causing any issuer which
13 has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or
14 Section 15(d) of the Exchange Act [15 U.S.C. § 78o] to fail to make or keep books, records or
15 accounts, which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of
16 the issuer's assets.

17 IV.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
19 Defendant shall pay a civil penalty of \$50,000.00 pursuant to Section 21(d)(3) of the Exchange Act
20 [15 U.S.C. § 78u(d)(3)]. Defendant shall make this payment within ten (10) business days after entry
21 of this Final Judgment by certified check, bank cashier's check, or United States postal money order
22 payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to
23 the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432
24 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter
25 identifying Bruce Rigione as a defendant in this action; setting forth the title and civil action number
26 of this action and the name of this Court; and specifying that payment is made pursuant to this Final
27 Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the
28 attention of Helane Morrison, District Administrator, at the Commission's San Francisco District

1 Office, 44 Montgomery Street, Suite 2600, San Francisco, California 94104. By making this
2 payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds, and no
3 part of the funds shall be returned to Defendant. Defendant shall pay post-judgment interest on any
4 delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission shall remit the funds paid
5 pursuant to this paragraph to the United States Treasury.

6 V.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to
8 Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant is prohibited for a period of
9 five (5) years from the date of entry of this order from acting as an officer or director of any issuer
10 that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l]
11 or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

12 VI.

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

16 VII.

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

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VIII.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

10/26

Dated: _____, 2006



UNITED STATES DISTRICT JUDGE

Approved as to form:

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BRUCE RIGIONE

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