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15 and Exchange Commission

FILED - SOUTHERN DIVISION  
CLERK, U.S. DISTRICT COURT  
MAY 15 2007  
CENTRAL DISTRICT OF CALIFORNIA  
BY *LB* DEPUTY

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CLERK, U.S. DISTRICT COURT  
MAY 17 2007  
CENTRAL DISTRICT OF CALIFORNIA  
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CLERK, U.S. DISTRICT COURT  
MAY 15 9 2007  
CENTRAL DISTRICT OF CALIFORNIA  
BY *SM* DEPUTY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

15 SECURITIES AND EXCHANGE  
16 COMMISSION,

17 Plaintiff,

18 vs.

19 TRI ENERGY, INC., et al.

20 Defendants.

Case No. ED CV 05-351 AG(FMOx)

**FINAL JUDGMENT AS TO  
DEFENDANT MILDRED STULTZ**

22 The Securities and Exchange Commission having filed a Complaint and  
23 Defendant Mildred Stultz ("Defendant") having entered a general appearance;  
24 consented to the Court's jurisdiction over Defendant and the subject matter of this  
25 action; consented to entry of this Final Judgment without admitting or denying the  
26

27 THIS CONSTITUTES NOTICE OF ENTRY  
28 AS REQUIRED BY FRCP, RULE 77(d).

*163*

1 allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
2 conclusions of law; and waived any right to appeal from this Final Judgment:  
3

4 **I.**

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant  
6 and Defendant's agents, servants, employees, attorneys, and all persons in active  
7 concert or participation with them who receive actual notice of this Final Judgment  
8 by personal service or otherwise are permanently restrained and enjoined from  
9 violating Section 5(a) and 5(c) of the Securities Act of 1933 (the "Securities Act")  
10 [15 U.S.C. § 77e(a) & 77e(c)] by, directly or indirectly, in the absence of any  
11 applicable exemption:  
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- 16 (a) Unless a registration statement is in effect as to a security, making use  
17 of any means or instruments of transportation or communication in  
18 interstate commerce or of the mails to sell such security through the  
19 use or medium of any prospectus or otherwise;
  - 20
  - 21 (b) Unless a registration statement is in effect as to a security, carrying or  
22 causing to be carried through the mails or in interstate commerce, by  
23 any means or instruments of transportation, any such security for the  
24 purpose of sale or for delivery after sale; or
  - 25
  - 26 (c) Making use of any means or instruments of transportation or  
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1 communication in interstate commerce or of the mails to offer to sell  
2 or offer to buy through the use or medium of any prospectus or  
3 otherwise any security, unless a registration statement has been filed  
4 with the Commission as to such security, or while the registration  
5 statement is the subject of a refusal order or stop order or (prior to the  
6 effective date of the registration statement) any public proceeding or  
7 examination under Section 8 of the Securities Act [15 U.S.C. § 77h].  
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10 **II.**

11 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**  
12 that Defendant and Defendant's agents, servants, employees, attorneys, and all  
13 persons in active concert or participation with them who receive actual notice of  
14 this Final Judgment by personal service or otherwise are permanently restrained  
15 and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C. §  
16 77q(a)] in the offer or sale of any security by the use of any means or instruments  
17 of transportation or communication in interstate commerce or by use of the mails,  
18 directly or indirectly:  
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- 22 (a) to employ any device, scheme, or artifice to defraud;  
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24 (b) to obtain money or property by means of any untrue statement of a  
25 material fact or any omission of a material fact necessary in order to make  
26 the statements made, in light of the circumstances under which they were  
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1 made, not misleading; or

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

6 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**  
7 that Defendant and Defendant's agents, servants, employees, attorneys, and all  
8 persons in active concert or participation with them who receive actual notice of  
9 this Final Judgment by personal service or otherwise are permanently restrained  
10 and enjoined from violating, or aiding and abetting violations of, directly or  
11 indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange  
12 Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R.  
13 § 240.10b-5], by using any means or instrumentality of interstate commerce, or of  
14 the mails, or of any facility of any national securities exchange, in connection with  
15 the purchase or sale of any security:  
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19 (a) to employ any device, scheme, or artifice to defraud;

20 (b) to make any untrue statement of a material fact or to omit to state a  
21 material fact necessary in order to make the statements made, in the  
22 light of the circumstances under which they were made, not  
23 misleading; or  
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25 (c) to engage in any act, practice, or course of business which operates or  
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1 would operate as a fraud or deceit upon any person.

2 IV.

3 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED  
4 that Defendant and Defendant's agents, servants, employees, attorneys, and all  
5 persons in active concert or participation with them who receive actual notice of  
6 this Final Judgment, by personal service or otherwise, and each of them, are  
7 permanently enjoined and restrained from, directly or indirectly, any involvement  
8 in, or conduct facilitating or relating in any way to, investing or soliciting  
9 investment in any program purporting to involve coal or a coal mine operation, an  
10 international gold transaction, or an international banking transaction, with or from  
11 any participant, officer, director, or investor in Tri Energy Inc., H&J Energy Inc.,  
12 La Vie D'Argent, Marina Investors Group, Inc., or Global Village Records. This  
13 paragraph does not preclude cooperation with the Commission or the receiver in  
14 the operation of, or attempts to recover monies related to, any of the entities listed  
15 above.  
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21 V.

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
23 that Defendant is liable for disgorgement of \$174,100, representing monies  
24 received as a result of the conduct alleged in the Complaint, together with pre-  
25 judgment interest thereon in the amount of \$25,098.84, for a total of \$199,198.84.  
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1 Based on Defendant's sworn representations in her Statement of Financial  
2 Condition dated August 4, 2006, and other documents and information submitted  
3 to the Commission, however, the Court is not ordering Defendant to pay a civil  
4 penalty and payment of all of the disgorgement and pre-judgment interest thereon  
5 is waived. Defendant shall also pay post-judgment interest on any delinquent  
6 amounts pursuant to 28 USC § 1961. The determination not to impose a civil  
7 penalty and to waive payment of all of the disgorgement and pre-judgment interest  
8 is contingent upon the accuracy and completeness of Defendant's Statement of  
9 Financial Condition. If at any time following the entry of this Final Judgment the  
10 Commission obtains information indicating that Defendant's representations to the  
11 Commission concerning her assets, income, liabilities, or net worth were  
12 fraudulent, misleading, inaccurate, or incomplete in any material respect as of the  
13 time such representations were made, the Commission may, at its sole discretion  
14 and without prior notice to Defendant, petition the Court for an order requiring  
15 Defendant to pay the unpaid disgorgement, pre-judgment and post-judgment  
16 interest thereon, and the maximum civil penalty allowable under the law. In  
17 connection with any such petition, the only issue shall be whether the financial  
18 information provided by Defendant was fraudulent, misleading, inaccurate, or  
19 incomplete in any material respect as of the time such representations were made.  
20 In its petition, the Commission may move this Court to consider all available  
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1 remedies, including, but not limited to, ordering Defendant to pay funds or assets,  
2 directing the forfeiture of any assets, or sanctions for contempt of this Final  
3 Judgment. The Commission may also request additional discovery. Defendant  
4 may not, by way of defense to such petition: (1) challenge the validity of the  
5 Consent or this Final Judgment; (2) contest the allegations in the Complaint filed  
6 by the Commission; (3) assert that payment of disgorgement, pre-judgment and  
7 post-judgment interest or a civil penalty should not be ordered; (4) contest the  
8 amount of disgorgement and pre-judgment and post-judgment interest; (5) contest  
9 the imposition of the maximum civil penalty allowable under the law; or (6) assert  
10 any defense to liability or remedy, including, but not limited to, any statute of  
11 limitations defense.  
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15 **VI.**

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17 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**  
18 that the Consent is incorporated herein with the same force and effect as if fully set  
19 forth herein, and that Defendant shall comply with all of the undertakings and  
20 agreements set forth therein.  
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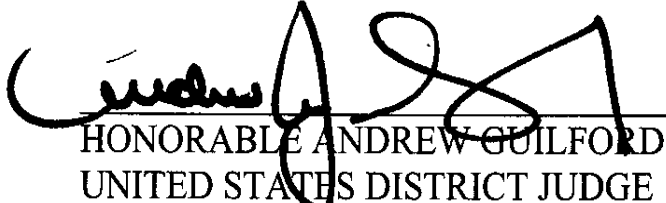
22 **VII.**

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24 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**  
25 that this Court shall retain jurisdiction of this matter for the purposes of enforcing  
26 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.

Dated: MAY 15, 2007



HONORABLE ANDREW GUILFORD  
UNITED STATES DISTRICT JUDGE

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