

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**U.S. SECURITIES AND
EXCHANGE COMMISSION,**

PLAINTIFF,

v.

: Civil Action No. 05-207 (RWR)

MORGAN COOPER, ET AL.

DEFENDANTS.

FINAL JUDGMENT AGAINST

JEFFREY NUNEZ

WHEREAS, Plaintiff, the U.S. Securities and Exchange Commission filed this action on January 28, 2005 (Docket No. 1); it personally served Defendant, Mr. Jeffrey Nunez (Defendant Nunez) on March 10, 2005; and on March 31, 2005, it filed the proof of that service with the Clerk of this Court (Docket No. 5);

WHEREAS, Defendant Nunez has not answered the Complaint and his time to answer has passed;

WHEREAS, on June 16, 2005, the Commission filed its Motion for Default against Defendant Nunez (Docket No. 9) and on June 21, 2005, it filed the Affidavits of its counsel in support of its Motion for Default as to Defendant Nunez (Docket Nos. 12 and 13); and

WHEREAS, the Clerk filed an Entry of Default against Defendant Nunez on June 21, 2004 (Docket No. 14).

Now, therefore,

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Commission shall have judgment against Defendant Nunez.

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Nunez, and all persons in active concert or participation with him who receive actual notice of this Final Judgment by personal service or otherwise, including his agents, servants, employees, and attorneys, and each of them, be and hereby are permanently restrained and enjoined from violating, directly or indirectly, Section 5(a) and (c) of the Securities Act of 1933 (Securities Act) [15 U.S.C. § 77e(a) and(c)] by, directly or indirectly, in the absence of any applicable exemption:

- (1) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell the securities of any issuer, through the use or medium of any prospectus or otherwise, unless and until a registration statement is in effect as to such securities;
- (2) carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or for delivery after sale, the securities of any issuer, unless and until a registration statement is in effect as to such securities; or
- (3) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise the securities of any issuer, unless

and until a registration statement has been filed with the Commission as to such securities, or while a registration statement as to such securities is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding of examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that, within fifteen (15) days of the entry of this Final Judgment, Defendant Nunez pay a total of \$55,000.00 representing a penalty pursuant to Section 20(d)(2)(C) of the Securities Act of 1933, [15 U.S.C. § 77t (d)(2) (C)] predicated on the acts alleged against Defendant Nunez in the Complaint. Defendant Nunez shall make that payment to the Office of Financial Management; U.S. Securities and Exchange Commission, which will forward that amount to the United States Treasury. Defendant Nunez shall make that payment by certified check or money order made to the order of "Office of Financial Management, U.S. Securities and Exchange Commission," accompanied by a letter explaining that he is making the payment in partial satisfaction of this judgment and noting that the payment pertains to this action, Civil Action No., 05CV0207 and to which the Commission has assigned its internal case number HO-09014. Defendant Nunez shall send **this** payment to the following address:

Office of Financial Management
U.S. Securities and Exchange Commission
6432 General Green Way, Mail Stop O-3
Alexandria, VA 223 12

At the same time he remits this payment, Defendant Nunez shall send a photocopy of his check or money order and this letter to the Commission's counsel of record:

James M. McHale, Esq.
Assistant Chief Litigation Counsel, Enforcement Division
U.S. Securities and Exchange Commission
100 F Street, N.E., Mail Stop 4631
Washington, D.C. 20549-4631

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction of this action for all purposes, including the implementation and enforcement of this Final Judgment.

VII.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, because the Court finds that no reason for delay exists, it directs the Clerk to enter this Final Judgment forthwith.

Dated: Washington, D.C.

January 6, 2006



HON. RICHARD W. ROBERTS

UNITED STATES DISTRICT JUDGE