

**ORIGINAL**

1 HELANE L. MORRISON (State Bar No. 127752)  
MARC J. FAGEL (State Bar No. 154425)  
2 CARY S. ROBNETT (State Bar No. 160585)  
JENNIFER L. SCAFE (State Bar No. 194649)

3 Attorneys for Plaintiff  
4 SECURITIES AND EXCHANGE COMMISSION  
44 Montgomery Street, Suite 2600  
5 San Francisco, California 94104  
Telephone: (415) 705-2500  
6 Facsimile: (415) 705-2501

RECEIVED  
JAN 25 2005  
RICHARD W. DEKROG  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11  
12 SECURITIES AND EXCHANGE COMMISSION,  
13 Plaintiff,  
14 v.  
15 JUN SINGO LIANG,  
16 Defendant.

C 05 00330 <sup>BZ</sup>  
Case No. \_\_\_\_\_

[PROPOSED] FINAL JUDGMENT

17  
18  
19 The Securities and Exchange Commission having filed a Complaint and Defendant Jun Singo  
20 Liang having entered a general appearance; consented to the Court's jurisdiction over Defendant and  
21 the subject matter of this action; consented to entry of this Final Judgment without admitting or  
22 denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
23 conclusions of law; and waived any right to appeal from this Final Judgment:

24 I.

25 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant's  
26 agents, servants, employees, attorneys, and all persons in active concert or participation with them  
27 who receive actual notice of this Final Judgment by personal service or otherwise are permanently  
28 restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange

1 Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder  
2 [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the  
3 mails, or of any facility of any national securities exchange, in connection with the purchase or sale of  
4 any security:

- 5 (a) to employ any device, scheme, or artifice to defraud;
- 6 (b) to make any untrue statement of a material fact or to omit to state a material fact  
7 necessary in order to make the statements made, in the light of the circumstances  
8 under which they were made, not misleading; or
- 9 (c) to engage in any act, practice, or course of business which operates or would  
10 operate as a fraud or deceit upon any person.

11 II.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to Section  
13 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant is prohibited, for five years  
14 following the date of entry of this Final Judgment, from acting as an officer or director of any issuer  
15 that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l]  
16 or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

17 III.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is  
19 liable for disgorgement of \$710,257.65, representing losses avoided as a result of the conduct alleged  
20 in the Complaint, together with prejudgment interest thereon in the amount of \$20,911.76, for a total  
21 of \$731,169.41. Defendant shall satisfy this obligation by paying \$731,169.41 within ten (10)  
22 business days after entry of this Final Judgment by certified check, bank cashier's check, or United  
23 States postal money order payable to the Securities and Exchange Commission. The payment shall  
24 be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission,  
25 Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall  
26 be accompanied by a letter identifying Jun Singo Liang as a defendant in this action; setting forth the  
27 title and civil action number of this action and the name of this Court; and specifying that payment is  
28 made pursuant to this Final Judgment. Defendant shall simultaneously transmit photocopies of such

1 payment and letter to the attention of Helane Morrison, District Administrator, at the Commission's  
2 San Francisco District Office, 44 Montgomery Street, San Francisco, CA 94104. By making this  
3 payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds, and no  
4 part of the funds shall be returned to Defendant.

5 IV.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a  
7 civil penalty in the amount of \$355,128.83 pursuant to Section 21A(a)(1)(A) of the Exchange Act [15  
8 U.S.C. § 78u-1(a)(1)(A)]. Defendant shall make this payment within ten (10) business days after  
9 entry of this Final Judgment by certified check, bank cashier's check, or United States postal money  
10 order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed  
11 to the Office of Financial Management, Securities and Exchange Commission, Operations Center,  
12 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a  
13 letter identifying Jun Singo Liang as a defendant in this action; setting forth the title and civil action  
14 number of this action and the name of this Court; and specifying that payment is made pursuant to  
15 this Final Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter  
16 to the attention of Helane Morrison, District Administrator, at the Commission's San Francisco  
17 District Office, 44 Montgomery Street, San Francisco, CA 94104.

18 V.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendant  
20 Jun Singo Liang to Entry of Final Judgment, filed concurrently with this Final Judgment, is  
21 incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall  
22 comply with all of the undertakings and agreements set forth therein.

23  
24  
25  
26  
27  
28

VI.

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

Dated: 3 Feb, 200<sup>5</sup>

*Bernard J. Kimman*  
UNITED STATES DISTRICT JUDGE  
*Magistrate*

Approved as to form:

\_\_\_\_\_  
Barry M. Kaplan  
David F. Taylor  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Telephone: (206) 359-8000  
Facsimile: (206) 359-9000  
Attorney for Defendant JUN SINGO LIANG

Submitted by:

*Jennifer L. Scafe*  
\_\_\_\_\_  
Helene L. Morrison  
Marc J. Fagel  
Cary S. Robnett  
Jennifer L. Scafe  
Attorneys for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

09/15/04 WED 09:25 FAX 1 415 705 2501

S F D O S E C

012

VI.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

Dated: \_\_\_\_\_, 2004

UNITED STATES DISTRICT JUDGE

Approved as to form:



Barry M. Kaplan  
David F. Taylor  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Telephone: (206) 359-8000  
Facsimile: (206) 359-9000  
Attorney for Defendant JUN SINGO LIANG

Submitted by:

Helane L. Morrison  
Marc J. Fagel  
Cary S. Robnett  
Jennifer L. Scafe  
Attorneys for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION