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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SECURITIES AND EXCHANGE
COMMISSION,

Case No. CV 05-1162-PK

Plaintiff,

~~PROPOSED~~ FINAL
JUDGMENT AS TO
DEFENDANT PHILIP EVANS

vs.

PHILIP EVANS and PAUL EVANS,

Defendants.

The Securities and Exchange Commission having filed a Complaint and Defendant Philip Evans having entered a general appearance; consented to the Court's jurisdiction over Defendant Philip Evans and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); consented to the exercise by a magistrate judge of

civil jurisdiction over this matter; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment. The Court, being fully advised, orders as follows:

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant Philip Evans and his agents, servants, employees, attorneys-in-fact, and all persons acting in concert or participation with any of them, who receive actual notice of this Final Judgment, by personal service or otherwise, and each of them, are permanently enjoined and restrained from, directly or indirectly, violating Section 17(a) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77q(a)] by:

1. employing any device, scheme, or artifice to defraud;
2. obtaining money or property by means of untrue statements of material fact or by omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
3. engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser

in the offer or sale of any securities by the use of any means or instrumentality of interstate commerce, or of the mails.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Philip Evans and his agents, servants, employees, attorneys-in-fact, and all persons in active concert or participation with any of them, who receive actual notice of this Final Judgment, by personal service or otherwise, and each of them, are permanently enjoined and restrained from, directly or indirectly, violating Section 10(b) of the

Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder by:

1. employing any device, scheme, or artifice to defraud;
2. making any untrue statement of a material fact or omitting 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
3. engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

in connection with the purchase or sale of the securities of any issuer, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Philip Evans is liable for disgorgement of \$36,200, representing profits gained and losses avoided by him and by his mother as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$1,337, for a total of \$37,537. Based on Defendant Philip Evans’ sworn representations in his Statement of Financial Condition dated September 29, 2005, as updated by Affidavit of Philip Evans dated June 16, 2006, and other documents and information submitted to the Commission, the Court is not ordering Defendant Philip Evans to pay a civil penalty pursuant to 15 U.S.C. § 78u-1. Defendant Philip Evans shall satisfy his disgorgement and prejudgment interest obligation by paying \$37,537 within ten (10) business days after entry of this Final Judgment by certified check, bank cashier’s check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3,

Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Philip Evans as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Defendant Philip Evans shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. By making this payment, Defendant Philip Evans relinquishes all legal and equitable right, title, and interest in such funds, and no part of the funds shall be returned to Defendant Philip Evans. Defendant Philip Evans shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961.

IV.

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


V.

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.

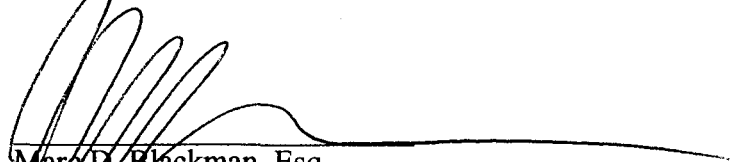
VI.

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

Dated: October 27, 2006

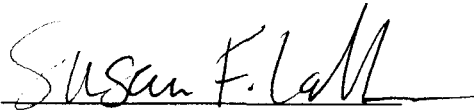

UNITED STATES MAGISTRATE JUDGE

Approved as to Form:



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