

The Honorable John C. Coughenour

05-CV-01631-MEM

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SECURITIES AND EXCHANGE COMMISSION, Case No. C05-1631C

Plaintiff,

vs.

C. PAUL SANDIFUR, JR., THOMAS G.
TURNER, DAVID R. SYRE, and TRILLIUM
CORPORATION,

Defendants.

~~PROPOSED~~ FINAL JUDGMENT AS TO
DEFENDANT DAVID R. SYRE

The Securities and Exchange Commission having filed an Amended Complaint and Defendant David R. Syre ("Syre") having entered a general appearance; consented to the Court's jurisdiction over Syre and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Amended Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Syre 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, or aiding and

Final Judgment as to Defendant David R. Syre
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Securities and Exchange Commission
44 Montgomery Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 705-2500

1 abetting violations of, Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15
2 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder by:

- 3 1. employing any device, scheme, or artifice to defraud;
- 4 2. making any untrue statement of a material fact or omitting to state a material fact
5 necessary in order to make the statements made, in the light of the circumstances
6 under which they were made, not misleading; or
- 7 3. engaging in any act, practice, or course of business which operates or would operate as
8 a fraud or deceit upon any person,

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

12 II.

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

3 III.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Syre shall pay a civil
5 penalty in the amount of \$50,000 pursuant to Section 21(d) of the Exchange Act [15 U.S.C. §
6 78u(d)]. Defendant shall make this payment within ten (10) business days after entry of this Final
7 Judgment by certified check, bank cashier's check, or United States postal money order payable to the
8 Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of
9 Financial Management, Securities and Exchange Commission, Operations Center, 6432 General
10 Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter
11 identifying David R. Syre as a defendant in this action; setting forth the title and civil action number
12 of this action and the name of this Court; and specifying that payment is made pursuant to this Final
13 Judgment. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28
14 USC § 1961.

15 IV.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Defendant
17 David R. Syre to Entry of Final Judgment, filed concurrently, is incorporated in the Final Judgment
18 with the same force and effect as if fully set forth herein, and that Syre shall comply with all of the
19 undertakings and agreements set forth therein.

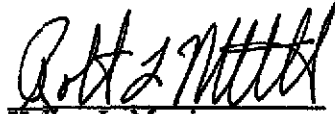
20 V.

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

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.

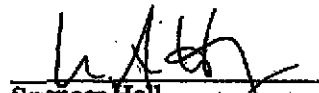
PRESENTED BY:



Helene L. Morrison
Robert L. Mitchell
Judith L. Anderson
Kristin A. Snyder

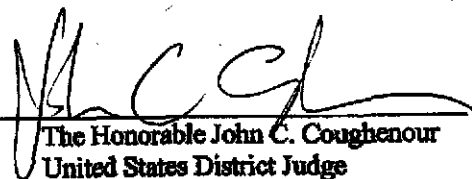
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APPROVED AS TO FORM:



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Dated this 30th day of Oct, 2007



The Honorable John C. Coughenour
United States District Judge

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