

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 05-21527-CIV-MOORE/GARBER

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

FOCUS FINANCIAL ASSOCIATES, INC.,  
FOCUS DEVELOPMENT CENTER, INC.,  
MAX FRANCOIS, AIBY PIERRE-LOUIS,  
and JEAN FRITZ MONTINARD,

Defendants.

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**FINAL JUDGMENT SETTING CIVIL PENALTIES  
AGAINST JEAN FRITZ MONTINARD**

THIS CAUSE came before the Court upon Plaintiff's Motion and Memorandum of Law Setting Civil Penalties Against Jean Fritz Montinard (DE # 94).

UPON CONSIDERATION of the Motion and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that Plaintiff's Motion is GRANTED. This Court has previously entered a default judgment against Defendant Montinard (DE # 46). The default judgment provides that "[t]he Court shall determine the amounts of the disgorgement and civil penalty upon motion of the Commission."

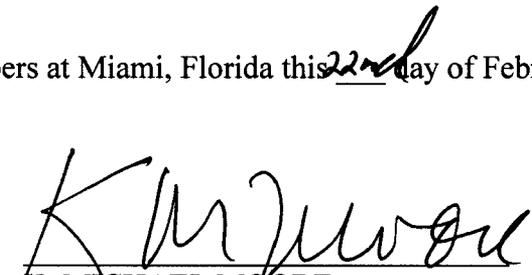
The Commission is seeking the imposition of a third-tier penalty of \$120,000 against Montinard, pursuant to Section 20(d) of the Securities Act of 1933 and Section 21(d) of the Securities Exchange Act of 1934. Montinard's conduct involved "fraud, deceit, manipulation, or deliberate or reckless disregard of a regulatory requirement" and "directly or indirectly

resulted in substantial losses or created a significant risk of substantial losses to other persons” by causing millions in investor losses. Based on the allegations of the Complaint, which are deemed true by the Court, and the factual evidence in the record, it is

ORDERED AND ADJUDGED that Defendant Jean Fritz Montinard shall pay a civil penalty in the amount of \$120,000.00, pursuant to Section 20(d) of the Securities Act and Section 21(d) of the Exchange Act. Defendant Montinard shall pay the civil money penalty ordered herein within thirty (30) days after the entry of this Final Judgment by sending a money order, certified check, bank cashier’s check or bank money order payable to the U.S. Securities and Exchange Commission, and transmitted to the Office of Financial Management, U.S. Securities and Exchange Commission, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312, under cover of a letter that identifies Defendant, the caption and case number of this action and the name of this Court. Copies of such check and accompanying cover letter shall be simultaneously transmitted to Roger Cruz, Senior Trial Counsel, U.S. Securities and Exchange Commission, Southeast Regional Office, 801 Brickell Avenue, Suite 1800, Miami, Florida 33131. It is additionally

ORDERED AND ADJUDGED that this Court shall retain jurisdiction over this matter to implement and carry out the terms of this Final Judgment and all Orders and Decrees that may be entered, and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court.

DONE AND ORDERED in Chambers at Miami, Florida this 22nd day of February, 2006.

  
K. MICHAEL MOORE  
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record