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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 SECURITIES AND EXCHANGE COMMISSION,	Case No. C-05-5305 MMC (JCS)
12 Plaintiff,	FINAL JUDGMENT AS TO DEFENDANT
13 vs.	BRENT WILLIAM FEDERIGHI
14	
15 BRENT WILLIAM FEDERIGHI and	
16 MICHAEL CARL HOFFMAN,	
17 Defendant.	

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19 The Securities and Exchange Commission having filed a Complaint and Defendant Brent  
20 William Federighi having entered a general appearance; consented to the Court's jurisdiction over  
21 Defendant Federighi and the subject matter of this action; consented to entry of this Final Judgment  
22 without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived  
23 findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment; and  
24 the Court, being fully advised, orders as follows:

25 I.

26 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant Federighi and his  
27 agents, servants, employees, attorneys-in-fact, and all persons in active concert or participation with  
28 any of them, who receive actual notice of this Final Judgment, by personal service or otherwise, and

1 each of them, are permanently enjoined and restrained from, directly or indirectly, violating Section  
2 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b), and Rule 10b-5  
3 thereunder, 17 C.F.R. § 240.10b-5, by:

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

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

13 II.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Federighi shall  
15 pay a civil penalty in the amount of \$175,000 pursuant to Section 21(d)(3) of the Exchange Act, 15  
16 U.S.C. § 78u(d)(3). Defendant Federighi shall make this payment within ten (10) business days after  
17 entry of this Final Judgment by certified check, bank cashier's check, or United States postal money  
18 order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed  
19 to the Office of Financial Management, Securities and Exchange Commission, Operations Center,  
20 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a  
21 letter identifying Brent William Federighi as a defendant in this action; setting forth the title and civil  
22 action number of this action and the name of this Court; and specifying that payment is made  
23 pursuant to this Final Judgment. Defendant Federighi shall pay post-judgment interest on any  
24 delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant  
25 to this paragraph to the United States Treasury.

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III.

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


IV.

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.

V.

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: August 22, 2007


  
The Honorable Maxine M. Chesney  
UNITED STATES DISTRICT JUDGE

1 Approved as to form:

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