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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

CMKM DIAMONDS, INC., URBAN  
CASAVANT, JOHN EDWARDS,  
GINGER GUTIERREZ, JAMES  
KINNEY, ANTHONY TOMASSO,  
KATHLEEN TOMASSO, 1ST  
GLOBAL STOCK TRANSFER LLC,  
HELEN BAGLEY, NEVWEST  
SECURITIES CORPORATION,  
DARYL ANDERSON, SERGEY  
RUMYANTSEV, ANTHONY  
SANTOS, and BRIAN DVORAK,

Defendants.

Case No. 2:08-cv-00437-LRH-RJJ

**JUDGMENT  
OF PERMANENT INJUNCTION  
AND OTHER RELIEF AGAINST  
DEFENDANT KATHLEEN  
TOMASSO**

1 Plaintiff Securities and Exchange Commission (“Commission”) having filed  
2 a Complaint (“Complaint”) and Defendant Kathleen Tomasso having waived been  
3 served with a Summons and the Complaint; entered a general appearance;  
4 consented to the Court’s jurisdiction over Kathleen Tomasso and the subject matter  
5 of this action; consented to entry of this Judgment without admitting or denying the  
6 allegations of the Complaint (except as to jurisdiction); waived findings of fact and  
7 conclusions of law; and waived any right to appeal from this Judgment:

8 **I.**

9 IT IS ORDERED, ADJUDGED, AND DECREED that KATHLEEN  
10 TOMASSO and her agents, servants, employees, attorneys, and all persons in  
11 active concert or participation with them who receive actual notice of this  
12 Judgment by personal service or otherwise are permanently restrained and enjoined  
13 from violating Section 5 of the Securities Act of 1933 (“Securities Act”), 15 U.S.C.  
14 § 77e, by, directly or indirectly, in the absence of any applicable exemption:

- 15 (a) Unless a registration statement is in effect as to a security, making use  
16 of any means or instruments of transportation or communication in  
17 interstate commerce or of the mails to sell such security through the  
18 use or medium of any prospectus or otherwise;
- 19 (b) Unless a registration statement is in effect as to a security, carrying or  
20 causing to be carried through the mails or in interstate commerce, by  
21 any means or instruments of transportation, any such security for the  
22 purpose of sale or for delivery after sale; or
- 23 (c) Making use of any means or instruments of transportation or  
24 communication in interstate commerce or of the mails to offer to sell  
25 or offer to buy through the use or medium of any prospectus or  
26 otherwise any security, unless a registration statement has been filed  
27 with the Commission as to such security, or while the registration  
28 statement is the subject of a refusal order or stop order or (prior to the

1 effective date of the registration statement) any public proceeding or  
2 examination under Section 8 of the Securities Act, 15 U.S.C. § 77h.

3 **II.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Kathleen  
5 Tomasso is permanently and unconditionally bared from participation in any  
6 offering of penny stock, including engaging in activities with a broker, dealer, or  
7 issuer for purposes of issuing, trading, or inducing or attempting to induce the  
8 purchase or sale of any penny stock. A penny stock is any equity security that has  
9 a price of less than five dollars, except as provided in Rule 3a51-1 under the  
10 Securities Exchange Act of 1934, 17 C.F.R. 240.3a51-1.

11 **III.**

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Kathleen  
13 Tomasso shall pay disgorgement of ill-gotten gains, prejudgment interest thereon,  
14 and a civil penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C.  
15 § 77t(d). The Court shall determine the amounts of the disgorgement and civil  
16 penalty upon motion of the Securities and Exchange Commission (“Commission”).  
17 Prejudgment interest shall be calculated pursuant to 28 U.S.C. § 1961 from  
18 March 5, 2003. In connection with the Commission’s motion for disgorgement  
19 and/or civil penalties, and at any hearing held on such a motion: (a) Kathleen  
20 Tomasso will be precluded from arguing that she did not violate the federal  
21 securities laws as alleged in the Complaint; (b) Kathleen Tomasso may not  
22 challenge the validity of this Consent or the Judgment; (c) solely for the purposes  
23 of such motion, the allegations of the Complaint shall be accepted as and deemed  
24 true by the Court; and (d) the Court may determine the issues raised in the motion  
25 on the basis of affidavits, declarations, excerpts of sworn deposition or  
26 investigative testimony, and documentary evidence, without regard to the standards  
27 for summary judgment contained in Rule 56(c) of the Federal Rules of Civil  
28 Procedure. In connection with the Commission’s motion for disgorgement and/or

1 civil penalties, the parties may take discovery, including discovery from  
2 appropriate non-parties.

3 **IV.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
5 provisions of the Consent filed concurrently with this Judgment are incorporated  
6 herein with the same force and effect as if fully set forth herein, and that Kathleen  
7 Tomasso shall comply with all of the undertakings and agreements set forth  
8 therein.

9 **V.**

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

13 **VI.**

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

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19 Dated: June 9, 2008.



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22 THE HONORABLE LARRY R. HICKS  
23 UNITED STATES DISTRICT JUDGE  
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