

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

Plaintiff,

v.

ROBERT M. ESPOSITO, GREGORY A.
KING, JACK R. BELLUSCIO and ANSCOTT
INDUSTRIES, INC.,

Defendants.

C.A. No. 8:08 CV 00494-T-26
RAL EAJ

**CORRECTED FINAL JUDGMENT AS TO DEFENDANTS
JACK R. BELLUSCIO AND ANSCOTT INDUSTRIES, INC.**

This matter comes before this Court on the Motion of Plaintiff, United States Securities and Exchange Commission ("SEC" or "Commission"), seeking entry of Final Judgments as to Defendants Jack R. Belluscio ("Belluscio") and Anscott Industries, Inc. ("Anscott Industries"), by reason of Defendants Belluscio's and Anscott Industries' defaults in failing to appear, answer or plead in this action after being served with the SEC's Complaint and the Summons, the SEC's Memorandum and Motion in Support of Final Judgment against Defendants Jack R. Belluscio and Anscott Industries, Inc., the (proposed) Final Judgment as to Defendants Jack R. Belluscio and Anscott Industries, Inc., the Affidavit in Support of Default Due to Non-Appearance and Failure to Plead by Defendants Jack R. Belluscio and Anscott Industries, and its Military Affidavit.

This Court, having considered the pleadings on file and the entire record in this case, makes the following findings of fact and conclusions of law:

1. The SEC's Complaint against Defendants Belluscio and Anscott Industries was filed on March 17, 2008 (Docket No. 1);
2. The Defendants engaged in a fraudulent touting scheme involving the stock of Defendant Anscott Industries; Defendant Belluscio was the Chairman, Chief Executive Officer, and majority shareholder of Anscott Industries (Complaint, ¶ 1);
3. The Summons and Complaint was served on Defendants Anscott Industries and Defendant Belluscio on March 27, 2008 (Docket Nos. 10, 11);
4. No appearance, answer or pleading has been filed with the Court by Defendants Belluscio or Anscott Industries;
5. The Commission moved for entry of default against Defendants Belluscio and Anscott Industries on June 18, 2008 (Docket No. 18);
6. The Court granted the Commission's motion and the Clerk entered defaults as to Defendants Belluscio and Anscott Industries on June 19, 2008 (Docket Nos. 19, 21, and 22);
7. The Court has subject matter jurisdiction and personal jurisdiction over both Defendants and venue is proper in this district;
8. As to Defendants Belluscio and Anscott Industries, the SEC seeks entry of an Order and Final Judgment that: (a) enjoins both defendants from violating Section 10(b) of the Securities and Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5] and Sections 5(a) and 5(c) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77e(a) and 77e(c)]; (b) orders both defendants to pay Third Tier civil penalties for their violations of Exchange Act Section 10(b) and Rule 10b-5 thereunder

and Securities Act Sections 5(a) and 5(c), pursuant to Exchange Act Section 21(d) (3) [15 U.S.C. § 78u (d) (3)] and Securities Act Section 20(d) [15 U.S.C. § 77t (d)]; and (c) prohibits Defendant Belluscio from acting as an officer or director of any issuer of securities that has a class of securities registered pursuant to Exchange Act Section 12 [15 U.S.C. § 78l], or that is required to file reports pursuant to Exchange Act Section 15(d) [15 U.S.C. § 78o(d)].

THEREFORE, on the basis of the full record in this case and the foregoing findings of fact and conclusions of law:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant Belluscio and Defendant Anscott Industries, and each of them, and Defendants' agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Exchange Act Section 10(b) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit 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
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Belluscio and Defendant Anscott Industries, and each of them, and Defendants' agents, servants, employees, and attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise, are permanently restrained and enjoined from violating Securities Act Sections 5(a) and 5(c) [15 U.S.C. §§ 77e(a), 77e(c)] by, directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails, to sell a security through the use or medium of any prospectus or otherwise; or
- (b) Unless a registration statement is in effect as to a security, carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale; or
- (c) Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any security, unless a registration statement has been filed with the Commission as to such security, or while the registration statement is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)]. Defendant Belluscio is prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

IV.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Belluscio shall pay Third Tier civil penalties in the amount of \$ 240,000.00 and Defendant Anscott Industries shall pay Third Tier civil penalties in the amount of \$ 1,200,000.00 pursuant to Securities Act Section 20(d) [15 U.S.C. § 77t (d)] and Exchange Act Section 21(d) (3) [15 U.S.C. § 78u (d) (3)]. Defendant Belluscio and Defendant Anscott Industries shall each make their payments 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 payments 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 the defendant making the payment 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 the payment is made pursuant to this Final Judgment. Defendants shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States Treasury.

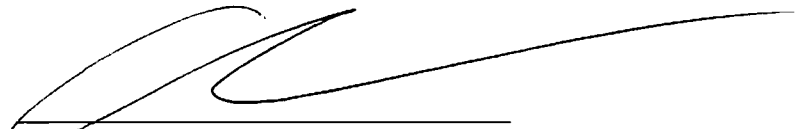
V.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for 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 ordered to enter this Final Judgment forthwith and without further notice.

Dated this 27th day of October 2008



Honorable Richard A. Lazzara
United States District Judge
Middle District of Florida
Tampa Division

Respectfully submitted,

/S/ Carl A. Tibbetts

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