

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

CASE NO: 8:08-cv-494-T-26EAJ

**ROBERT M. ESPOSITO and
GREGORY A. KING,**

Defendants.

FINAL JUDGMENT AS TO DEFENDANT GREGORY A. KING

The Securities and Exchange Commission having filed a Complaint; Defendant Gregory A. King ("Defendant King") having entered a general appearance, consented to the Court's jurisdiction over Defendant King and the subject matter of this action, and consented to the Judgment entered on March 10, 2010, the terms of which are incorporated herein; and the Plaintiff Securities and Exchange Commission, pursuant to the Judgment of March 10, 2010 having moved for a judgment of disgorgement and civil penalty against Defendant King, for good cause shown:

I.

Plaintiff Securities and Exchange Commission's motion for judgment of disgorgement and civil penalty against Defendant Gregory A. King is GRANTED;

II.

It is hereby **ORDERED, ADJUDGED AND DECREED** that Defendant King and Defendant King's 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, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [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.

III.

It is hereby **FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant King and Defendant King's 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 Section 17(b) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(b)] by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails; to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale describes such security for consideration received or to be received, directly or indirectly, from an issuer, underwriter or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof.

VI.

It is hereby **FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant King is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R. 240.3a51-1].

VII.

It is hereby **FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant King is liable for disgorgement of \$358,000, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$227,166.46, for a total of \$585,166.46. The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. In response to any civil contempt motion by the Commission, the defendant may assert any legally permissible defense. Payment under this paragraph shall be made by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, 100 F Street, NE, Stop 6042, Washington DC 20549 and shall be accompanied by a letter identifying Gregory A. King 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 payment is made pursuant to this Final Judgment. Defendant King shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action, David Gottesman, Assistant Chief Litigation Counsel, United States Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-4030. Defendant King shall pay post-judgment interest on any

paid pursuant to this paragraph to the United States Treasury.

VIII.

It is hereby **FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant King shall pay a civil penalty in the amount of \$358,000 pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendant King shall make this payment within 14 days after entry of Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, 100 F Street, NE, Stop 6042, Washington DC 20549 and shall be accompanied by a letter identifying Gregory A. King 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 payment is made pursuant to this Final Judgment. Defendant King shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action, David Gottesman, Assistant Chief Litigation Counsel, United States Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-4030. Defendant King shall pay post-judgment interest on any delinquent amounts

paragraph to the United States Treasury.

IX.

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.

DONE AND ORDERED at Tampa, Florida, on June 24, 2011.

s/Richard A. Lazzara

RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

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Counsel of Record