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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

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12 SECURITIES AND EXCHANGE
COMMISSION,

13 Plaintiff,

14 vs.

15 GOLD-QUEST INTERNATIONAL,
16 DAVID GREENE a/k/a LORD DAVID
GREENE a/k/a DAVID GREEN, JOHN
17 JENKINS and MICHAEL MCGEE,

18 Defendants.
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Case No. 08-CV-00566-KJD-LRL

**FINAL JUDGMENT
OF PERMANENT INJUNCTION
AND OTHER RELIEF AGAINST
DEFENDANTS DAVID GREENE
a/k/a LORD DAVID GREENE a/k/a
DAVID GREEN AND JOHN
JENKINS**

1 Plaintiff Securities and Exchange Commission (“Commission”) filed a
2 Motion for Entry of Final Judgment Ordering Disgorgement, Prejudgment
3 Interest, and Civil Penalties Against Defendants David Greene a/k/a Lord David
4 Greene a/k/a David Green (“Greene”) and John Jenkins (“Jenkins”). The Court,
5 having considered the Commission’s Motion, the memorandum of points and
6 authorities filed in support of the Motion, the declarations, and all other
7 documents filed in support of the Motion, and all other evidence and argument
8 presented regarding the Motion, finds that:

9 **I.**

10 IT IS ORDERED that the Commission’s Motion for Entry of Final
11 Judgment Ordering Disgorgement, Prejudgment Interest, and Civil Penalties
12 Against Defendants Greene and Jenkins is hereby GRANTED.

13 **II.**

14 IT IS FURTHER ORDERED that defendants Greene and Jenkins, and
15 their agents, servants, employees, attorneys, and all persons in active concert or
16 participation with them who receive actual notice of this Final Judgment by
17 personal service or otherwise are permanently restrained and enjoined from
18 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
19 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated
20 thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of
21 interstate commerce, or of the mails, or of any facility of any national securities
22 exchange, in connection with the purchase or sale of any security:

- 23 (a) to employ any device, scheme, or artifice to defraud;
24 (b) to make any untrue statement of a material fact or to omit to state a
25 material fact necessary in order to make the statements made, in the
26 light of the circumstances under which they were made, not

1 misleading; or

- 2 (c) to engage in any act, practice, or course of business which operates
3 or would operate as a fraud or deceit upon any person.

4 **III.**

5 IT IS FURTHER ORDERED that defendants Greene and Jenkins, and
6 their agents, servants, employees, attorneys, and all persons in active concert or
7 participation with them who receive actual notice of this Final Judgment by
8 personal service or otherwise are permanently restrained and enjoined from
9 violating Section 17(a) of the Securities Act of 1933 (the "Securities Act"), 15
10 U.S.C. § 77q(a), in the offer or sale of any security by the use of any means or
11 instruments of transportation or communication in interstate commerce or by use
12 of the mails, directly or indirectly:

- 13 (a) to employ any device, scheme, or artifice to defraud;
14 (b) to obtain money or property by means of any untrue statement of a
15 material fact or any omission of a material fact necessary in order to
16 make the statements made, in light of the circumstances under which
17 they were made, not misleading; or
18 (c) to engage in any transaction, practice, or course of business which
19 operates or would operate as a fraud or deceit upon the purchaser.

20 **IV.**

21 IT IS FURTHER ORDERED that defendants Greene and Jenkins, and
22 their agents, servants, employees, attorneys, and all persons in active concert or
23 participation with them who receive actual notice of this Final Judgment by
24 personal service or otherwise are permanently restrained and enjoined from
25 violating Section 5 of the Securities Act, 15 U.S.C. § 77e, by, directly or
26 indirectly, in the absence of any applicable exemption:

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

17 **V.**

18 IT IS FURTHER ORDERED that defendants Greene and Jenkins are
19 jointly and severally liable for disgorgement of \$8,357,107.00, representing
20 profits gained as a result of the conduct alleged in the Complaint, together with
21 prejudgment interest thereon in the amount of \$228,855.91. Defendants Greene
22 and Jenkins shall satisfy this obligation by paying \$8,585,962.91 within 14 days
23 after entry of this Final Judgment by certified check, bank cashier's check, or
24 United States postal money order payable to the Securities and Exchange
25 Commission. The payment shall be delivered or mailed to the Office of Financial
26 Management, Securities and Exchange Commission, Operations Center, 6432

1 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be
2 accompanied by a letter identifying Greene and/or Jenkins as a defendant in this
3 action; setting forth the title and civil action number of this action and the name
4 of this Court; and specifying that payment is made pursuant to this Final
5 Judgment. Defendants Greene and Jenkins shall pay post-judgment interest on
6 any delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission shall
7 remit the funds paid pursuant to this paragraph to the United States Treasury.

8 **VI.**

9 IT IS FURTHER ORDERED that defendants Greene and Jenkins shall
10 each pay a civil penalty in the amount of \$130,000 pursuant to Section 20(d)(1)
11 of the Securities Act, 15 U.S.C. § 77t(d)(1), and Section 21(d)(3)(A) of the
12 Exchange Act, 15 U.S.C. § 78u(d)(3)(A). Defendants shall make this payment
13 within 14 days after entry of this Final Judgment by certified check, bank
14 cashier's check, or United States postal money order payable to the Securities and
15 Exchange Commission. The payments shall be delivered or mailed to the Office
16 of Financial Management, Securities and Exchange Commission, Operations
17 Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312,
18 and shall be accompanied by a letter identifying Greene and/or Jenkins as a
19 defendant in this action; setting forth the title and civil action number of this
20 action and the name of this Court; and specifying that payment is made pursuant
21 to this Final Judgment. Defendants Greene and Jenkins shall pay post-judgment
22 interest on any delinquent amounts pursuant to 28 U.S.C. § 1961. The
23 Commission shall remit the funds paid pursuant to this paragraph to the United
24 States Treasury.

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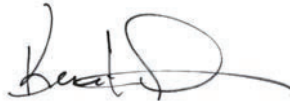
1 **VII.**

2 IT IS FURTHER ORDERED that this Final Judgment may be served by
3 transmittal to Greene's and Jenkins' most recent known e-mail addresses and
4 transmitting it to defendants Greene's and Jenkins' most recent known physical
5 addresses by Federal Express or other overnight service.

6 **VIII.**

7 IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this
8 matter for the purposes of enforcing the terms of this Final Judgment.

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11 Dated: December 8, 2009



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13 HONORABLE KENT J. DAWSON
14 UNITED STATES DISTRICT JUDGE
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