

1 JOHN M. MCCOY III, Cal. Bar No. 166244
 Email: mccoymj@sec.gov
 2 CATHERINE W. BRILLIANT, Cal. Bar No. 229992
 Email: brilliantc@sec.gov

3 Attorneys for Plaintiff
 4 Securities and Exchange Commission
 Rosalind R. Tyson, Regional Director
 5 5670 Wilshire Boulevard, 11th Floor
 Los Angeles, California 90036
 6 Telephone: (323) 965-3998

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 8 **UNITED STATES DISTRICT COURT**
 9 **CENTRAL DISTRICT OF CALIFORNIA**

10 SECURITIES AND EXCHANGE
 11 COMMISSION,

12 Plaintiff,

13 vs.

14 WEALTHWISE, LLC, and
 JEFFREY A. FORREST,

15 Defendants.

Case No. CV 08-06278 GAF (SSx)

**FINAL JUDGMENT AS TO
 DEFENDANTS
 WEALTHWISE, LLC, AND
 JEFFREY A. FORREST**

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1 Plaintiff Securities and Exchange Commission having filed a Complaint and
2 Defendants Jeffrey A. Forrest (“Forrest”) and WealthWise, LLC (“WealthWise”)
3 (together, “Defendants”) having entered a general appearance; consented to the
4 Court’s jurisdiction over Defendants and the subject matter of this action; having
5 previously consented to the entry of a Judgment of Permanent Injunction and Other
6 Relief without admitting or denying the allegations of the Complaint (except as to
7 jurisdiction); waived findings of fact and conclusions of law; and waived any right
8 to appeal from this Judgment:

9 **I.**

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
11 Defendants and Defendants’ agents, servants, employees, attorneys, and all persons
12 in active concert or participation with them who received actual notice of this Final
13 Judgment by personal service or otherwise are permanently restrained and enjoined
14 from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”)
15 [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or
16 instruments of transportation or communication in interstate commerce or by use
17 of the mails, directly or indirectly:

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

25 **II.**

26 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
27 that Defendants and Defendants’ agents, servants, employees, attorneys, and all
28 persons in active concert or participation with them who receive actual notice of

1 this Final Judgment by personal service or otherwise are permanently restrained
2 and enjoined from violating, directly or indirectly, Section 10(b) of the Securities
3 Exchange of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5
4 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or
5 instrumentality of interstate commerce, or of the mails, or of any facility or any
6 national securities exchange, in connection with the purchase or sale of any
7 security:

- 8 (a) to employ any device, scheme, or artifice to defraud;
- 9 (b) to make any untrue statement of a material fact or to omit to state a
10 material fact necessary in order to make the statements made, in light
11 of the circumstances under which they were made, not misleading; or
- 12 (c) to engage in any act, practice, or course of business which operates or
13 would operate as a fraud or deceit upon any person.

14 **III.**

15 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**
16 that Defendants and their agents, servants, employees, attorneys, and all persons in
17 active concert or participation with them who receive actual notice of this Final
18 Judgment by personal service or otherwise are permanently restrained and enjoined
19 from violating, directly or indirectly, Section 206(1) or Section 206(2) of the
20 Investment Advisers Act of 1940 (the “Advisers Act”) [15 U.S.C. §§ 80b-6(1) and
21 (2)], by using the mails or any instrumentality of interstate commerce while acting
22 as an investment adviser as defined in the Advisers Act:

- 23 (a) to employ any device, scheme, or artifice to defraud clients or
24 prospective clients; or
- 25 (b) to engage in any transaction, practice, or course of business which
26 operates as a fraud or deceit on clients or prospective clients.

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1 **IV.**

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
3 that Defendants Forrest and WealthWise are jointly and severally liable for
4 disgorgement of \$388,401.80, representing profits gained as a result of the conduct
5 alleged in the Complaint, together with prejudgment interest thereon in the amount
6 of \$31,830.68, for a total of \$420,232.48. Defendants shall satisfy this obligation
7 by paying \$420,232.48 within 14 days after entry of this Final Judgment by
8 certified check, bank cashier's check, or United States postal money order payable
9 to the Securities and Exchange Commission. The payment shall be delivered or
10 mailed to the Office of Financial Management, Securities and Exchange
11 Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3,
12 Alexandria, Virginia 22312, and shall be accompanied by a letter identifying
13 Forrest and WealthWise as defendants in this action; setting forth the title and civil
14 action number of this action and the name of this Court; and specifying that
15 payment is made pursuant to this Final Judgment. Defendants shall pay post-
16 judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961. The
17 Commission shall remit the funds paid pursuant to this paragraph to the United
18 States Treasury.

19 **V.**

20 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
21 that Defendant Forrest shall pay a civil penalty in the amount of \$130,000 pursuant
22 to Section 20(d) of the Securities Act of 1933, 15 U.S.C. § 77t(d), Section 21(d)(3)
23 of the Exchange Act of 1934, 15 U.S.C. § 78u(d)(3), and Section 209(e)(2) of the
24 Investment Advisers Act of 1940, 15 U.S.C. § 80b-9(e)(2). Forrest shall make this
25 payment within 14 days after entry of this Final Judgment by certified check, bank
26 cashier's check, or United States postal money order payable to the Securities and
27 Exchange Commission. The payment shall be delivered or mailed to the Office of
28 Financial Management, Securities and Exchange Commission, Operations Center,

1 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be
2 accompanied by a letter identifying Forrest as a defendant in this action; setting
3 forth the title and civil action number of this action and the name of this Court; and
4 specifying that payment is made pursuant to this Final Judgment. Forrest shall pay
5 post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.
6 The Commission shall remit the funds paid pursuant to this paragraph to the United
7 States Treasury.

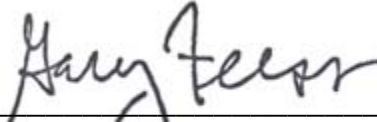
8 **VI.**

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
10 Defendants' Consents are incorporated herein with the same force and effect as if
11 fully set forth herein, and that Defendants shall comply with all of the undertakings
12 and agreements set forth therein.

13 **VII.**

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
15 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
16 of this Final Judgment.

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18 Dated: March 23, 2011

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21 HONORABLE GARY A. FEESSE
22 UNITED STATES DISTRICT JUDGE
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