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12 **UNITED STATES DISTRICT COURT**  
 13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
 14 **EASTERN DIVISION**

16 SECURITIES AND EXCHANGE  
 COMMISSION,

18 Plaintiff,  
 19 vs.

20 KEDERIO AINSWORTH,  
 21 GUILLERMO HARO, JESUS  
 GUTIERREZ, GABRIEL  
 22 PAREDES and ANGEL ROMO,

23 Defendants.  
 24

Case No. :  
 EDCV08-1350 VAP (OPx)

**FINAL JUDGMENT OF PERMANENT  
 INJUNCTION AND OTHER RELIEF  
 AGAINST JESUS GUTIERREZ**

26 The Securities and Exchange Commission (the  
 27 "Commission") filed a Complaint (Docket #1) against  
 28 Jesus Gutierrez ("Gutierrez" or the "Defendant") and

1 others on October 3, 2008. Gutierrez, through counsel,  
2 filed an Answer to the Complaint on December 2, 2008  
3 (Docket #14). On or about April 21, 2009, the parties  
4 participated in an early settlement conference with  
5 Attorney Settlement Officer Robert H. Logan in  
6 Riverside, California (Docket #s 26 and 29). Pursuant  
7 to the Court's Civil Trial Scheduling Order (Docket #  
8 36), the parties participated in a second settlement  
9 conference with Attorney Settlement Officer Robert H.  
10 Logan (Docket # 41). Gutierrez consented to entry of  
11 this Final Judgment on January 20, 2010, without  
12 admitting or denying the allegations of the Complaint  
13 (except as to personal and subject matter jurisdiction,  
14 which Gutierrez admits). Based on the foregoing, the  
15 Court orders as follows:  
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22 I.

23 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
24 Defendant and Defendant's agents, servants, employees,  
25 attorneys, and all persons in active concert or  
26 participation with them who receive actual notice of  
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1 this Final Judgment by personal service or otherwise  
2 are permanently restrained and enjoined from violating,  
3 directly or indirectly, Section 10(b) of the Securities  
4 Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. §  
5 78j(b)] and Rule 10b-5 promulgated thereunder  
6 [17 C.F.R. § 240.10b-5], by using any means or  
7 instrumentality of interstate commerce, or of the  
8 mails, or of any facility of any national securities  
9 exchange, in connection with the purchase or sale of  
10 any security:  
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15 (a) to employ any device, scheme, or artifice to  
16 defraud;

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18 (b) to make any untrue statement of a material fact  
19 or to omit to state a material fact necessary in  
20 order to make the statements made, in the light of  
21 the circumstances under which they were made, not  
22 misleading; or  
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24  
25 (c) to engage in any act, practice, or course of  
26 business which operates or would operate as a fraud  
27 or deceit upon any person.  
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II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant'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(a) of the Securities Act [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

(a) to employ any device, scheme, or artifice to defraud;

(b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or

1 (c) to engage in any transaction, practice, or  
2 course of business which operates or would operate  
3 as a fraud or deceit upon the purchaser.  
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5 III.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
7 Defendant, and Defendant's agents, servants, employees,  
8 attorneys and all persons in active concert or  
9 participation with them who receive actual notice of  
10 this Final Judgment by personal service or otherwise  
11 are permanently restrained and enjoined from violating  
12 Section 17(a) of the Exchange Act [15 U.S.C. § 78q]  
13 and Rules 17-a3(a)(6) and 17-a3(a)(17) [17 C.F.R.  
14 §§ 240.17a-3(a)(6) and 17a-3(a)(17)] promulgated  
15 thereunder by aiding or abetting in the failure to  
16 create and/or maintain accurate customer account  
17 records and/or order tickets.  
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23 IV.

24 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
25 that Defendant is liable for disgorgement of \$2,507 and  
26 a civil penalty in the amount of \$2,507 pursuant to  
27  
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1 Section 20(d) of the Securities Act and Section 21(d)  
2 of the Exchange Act, for a total of \$5,014. Defendant  
3 shall satisfy this obligation by paying \$5,014 within  
4 14 days after entry of this Final Judgment by certified  
5 check, bank cashier's check, or United States postal  
6 money order payable to the Securities and Exchange  
7 Commission. The payment shall be delivered or mailed  
8 to the Office of Financial Management, Securities and  
9 Exchange Commission, Operations Center, 6432 General  
10 Green Way, Mail Stop 0-3, Alexandria, Virginia 22312,  
11 and shall be accompanied by a letter identifying Jesus  
12 Gutierrez as a defendant in this action; setting forth  
13 the title and civil action number of this action and  
14 the name of this Court; and specifying that payment is  
15 made pursuant to this Final Judgment. Defendant shall  
16 pay post-judgment interest on any delinquent amounts  
17 pursuant to 28 U.S.C. § 1961. The Commission shall  
18 remit the funds paid pursuant to this paragraph to the  
19 United States Treasury.  
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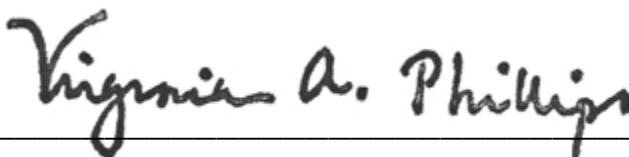
1 V.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
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4 the Consent is incorporated herein with the same force  
5 and effect as if fully set forth herein, and that  
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7 Defendant shall comply with all the undertakings and  
8 agreements set forth therein.

9 VI.

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11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
12 this Court shall retain jurisdiction of this matter for  
13 the purposes of enforcing the terms of this Final  
14 Judgment.  
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16 Dated: \_April 21, 2010

17  
18 

19  
20 Honorable Virginia A. Phillips  
21 United States District Judge

22 Presented by:

23  
24 /s/ Karen L. Martinez

25  
26 \_\_\_\_\_  
27 Karen L. Martinez  
28 Thomas M. Melton  
Attorneys for Plaintiff  
Securities and Exchange Commission