

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

GREGORY TODD FRONING,

Defendant.

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Civ. No.: 3:10-CV-1503-D

FINAL JUDGMENT AS TO DEFENDANT GREGORY TODD FRONING

Plaintiff Securities and Exchange Commission (“SEC” or “Commission”) has filed its motion for entry of a Final Judgment against Defendant Gregory Todd Froning (“Defendant”). Previously, on August 3, 2010, the Court entered an Interlocutory Judgment of Permanent Injunction as to Defendant (the “Interlocutory Judgment”). The Interlocutory Judgment was accompanied by Defendant’s signed Consent.

Now, having considered the current motion, the Court is of the opinion that it is well-founded and should be GRANTED as follows, incorporating the relief set forth in the Interlocutory Judgment.

I.

It Is Hereby Ordered and Adjudged 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 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 that operates or would operate as a fraud or deceit upon any person.

II.

It Is HEREBY Further Ordered and Adjudged 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 Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (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

- (c) to engage in any transaction, practice, or course of business that operates or would operate as a fraud or deceit upon the purchaser.

III.

IT IS HEREBY FURTHER ORDERED that Defendant Gregory Todd Froning shall pay \$716,311.18 in disgorgement, plus prejudgment interest of \$38,421.19, and a third-tier civil penalty in the amount of \$716,311.18, within 30 days of the date of this Judgment. Defendant Froning shall make this payment 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, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Froning, as the 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 Judgment. Defendant shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action.


IV.

It Is Further Ordered and Adjudged that the Consent of Defendant Gregory Todd Froning is incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall comply with all of the undertakings and agreements set forth therein.

V.

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

Done at Dallas, Texas March 10, 2011.



SIDNEY A. FITZWATER
CHIEF JUDGE