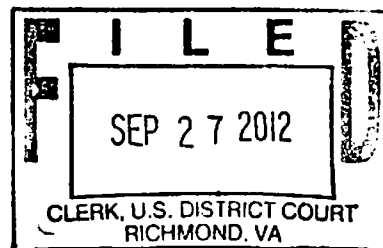


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**PROVIDENT CAPITAL INDEMNITY,
LTD., et al.,**

Defendants,

and

DESARROLLOS COMERCIALES RONIM, S.A.,

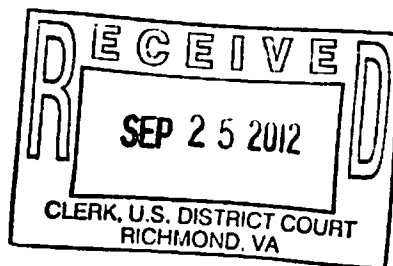
Relief Defendant.

Civil No. 3:11-cv-045 (JAG)

**FINAL JUDGMENT AS TO
DEFENDANT MINOR VARGAS CALVO**

The Securities and Exchange Commission having filed a Complaint and Defendant Minor Vargas Calvo ("Defendant" or "Defendant Vargas") having entered a general appearance; consented to the Court's jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.



IT IS HEREBY 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, 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.

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 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 which operates or would operate as a fraud or deceit upon the purchaser.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement in the amount of \$43,582,699.22, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$0.00, for a total of \$43,482,699.22. In the event that the United States District Court for the Eastern District of Virginia enters an order of criminal forfeiture or order of restitution against Defendant in the criminal action titled United States v. Provident Capital Indemnity, Ltd., Minor Vargas Calvo and Jorge Luis Castillo, 3:11-CR-14 (E.D.V.A.), the Defendant's disgorgement and prejudgment interest obligation will be credited dollar-for-dollar by the amount of the criminal forfeiture order and/or restitution order. Defendant's disgorgement obligation shall be joint and several with Defendant Provident Capital Indemnity ("Defendant PCI") and Relief Defendant Desarrollos Comerciales Ronim, S.A. ("Relief Defendant") up to the total amount of disgorgement, plus prejudgment interest if any, as ordered by this paragraph. Defendant shall satisfy the disgorgement, and any prejudgment interest, obligation ordered by this paragraph of the Final Judgment (minus any amount that Defendant is ordered to forfeit in the criminal action)

within fourteen (14) days after Defendant's pending sentencing in the criminal case, by paying such amount directly to the court-appointed Receiver in this case, Richard B. Roper of Thompson & Knight, LLP, together with a cover letter identifying Minor Vargas Calvo 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.

Wiring Instructions for Thompson & Knight LLP Iolita Trust Acct

Receiving Bank: JP Morgan Chase Bank, NA
2200 Ross Ave
Dallas, Texas 75201

ABA No.: 021000021 (for incoming wires only)
SWIFT: CHASUS33 (for international wires)

Beneficiary Account Name: Thompson & Knight LLP. IOLTA Trust Account
Beneficiary Address: 1722 Routh St Ste 1500
Dallas, Texas 75201-2533

Beneficiary bank Account No.: 1575930886

Special Instructions: Please reference John S. Brannon and No. 515593.3.

Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action, Suzanne J. Romajas. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds, and no part of the funds shall be returned to Defendant. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961.

The Receiver shall not be subject to the payment obligation imposed on the Defendant, but instead, the Receiver will seek to collect and hold the assets of the Defendant as part of his

Receivership Estate and prepare a plan to distribute these funds (together with all assets disgorged or paid as penalties by all other defendants and relief defendants in this case) (the “Disgorged Assets”) to investor victims in the United States and elsewhere, as appropriate (the “Distribution Plan”). The Receiver for the Defendant will prepare the Distribution Plan (subject to the SEC’s consent) and file a motion presenting it to the Court for consideration. Defendant acknowledges that he relinquishes all legal and equitable right, title, and interest in the Disgorged Assets, and no part of the Disgorged Assets shall be returned to Defendant. The Distribution Plan may provide that the Disgorged Assets shall be distributed pursuant to the Fair Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent of Minor Vargas Calvo 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, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

VI.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.


IT IS SO ORDERED.

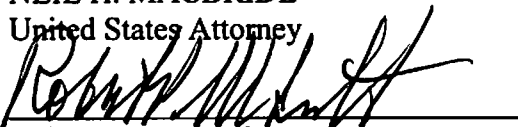
9/27/12 Isl JAG
John A. Gibney, Jr.
United States District Judge
John A. Gibney, Jr.
United States District Judge

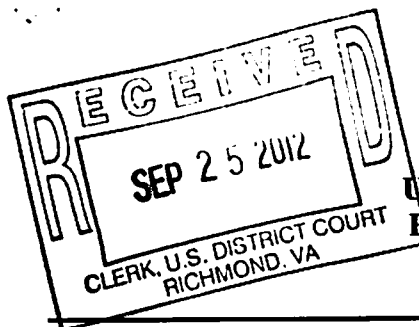
Richmond, VA
Date: August 1, 2012

WE ASK FOR THIS:

Suzanne J. Romajas (*pro hac vice*)
SECURITIES AND EXCHANGE COMMISSION
100 F Street, NE
Washington, DC 20549-4030
Tel: 202-551-4473 (Romajas)
Fax: 202-772-9245 (Romajas)
Email: RomajasS@sec.gov

SEEN AND AGREED:

Minor Vargas Calvo
No. 65452-053
Pamunkey Regional Jail
P.O. Box 485
Hanover, Virginia 23069
Defendant *pro se*

NEIL H. MACBRIDE
United States Attorney

Robert P. McIntosh
Virginia Bar Number 66113
Office of the United States Attorney
Eastern District of Virginia
600 E. Main Street, Suite 1800
Richmond, VA 23219
Tel.: 804-819-5400
Fax: 804-819-7417
Email: Robert.McIntosh@usdoj.gov



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

**PROVIDENT CAPITAL INDEMNITY, LTD.,
MINOR VARGAS CALVO, and
JORGE L. CASTILLO,**

Defendants,

and

DESARROLLOS COMERCIALES RONIM S.A.,

Relief Defendant.

**CIVIL ACTION NO.
3:11-CV-045-JAG**

CONSENT OF DEFENDANT MINOR VARGAS CALVO

1. Defendant Minor Vargas Calvo ("Defendant") acknowledges having been served with the complaint in this action, enters a general appearance, and admits the Court's jurisdiction over Defendant and over the subject matter of this action.

2. Defendant has been convicted of criminal conduct relating to the matters alleged in the Complaint in this action. Specifically, on April 30, 2012, in the criminal action titled United States v. Provident Capital Indemnity, Ltd., Minor Vargas Calvo and Jorge Luis Castillo, 3:11-CR-14 (E.D.V.A.), Defendant was convicted of one count of conspiracy to commit mail and wire fraud, three counts of mail fraud, three counts of wire fraud, and three counts of money laundering. A copy of the verdict form is attached as Exhibit A to this Consent. This Consent shall remain in full force and effect regardless of the existence or outcome of any further

proceedings in United States v. Provident Capital Indemnity, Ltd., Minor Vargas Calvo and Jorge Luis Castillo, 3:11-CR-14 (E.D.V.A.).

3. Defendant hereby consents to the entry of the final Judgment in the form attached hereto (the "Final Judgment") and incorporated by reference herein, which, among other things:

- (a) permanently restrains and enjoins Defendant from violations of 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], and Section 17(a) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(a)];
- (b) orders Defendant to disgorge \$43,582,699.22, plus prejudgment interest thereon in the amount of \$0.00, for a total of \$43,582,699.22; provided that, if the United States District Court for the Eastern District of Virginia enters an order of criminal forfeiture or an order of restitution against Defendant in the criminal action titled United States v. Provident Capital Indemnity, Ltd., Minor Vargas Calvo and Jorge Luis Castillo, 3:11-CR-14 (E.D.V.A.), the Defendant's disgorgement and prejudgment interest obligation will be credited dollar-for-dollar by the amount of the criminal forfeiture order and/or restitution order; and further provided that Defendant's obligation to pay disgorgement and prejudgment interest shall be joint and several with Defendant Provident Capital Indemnity ("Defendant PCI") and Relief Defendant Desarrollos Comerciales Ronim, S.A. ("Relief Defendant") up to the total amount of disgorgement, plus prejudgment interest if any, as ordered by this paragraph.

4. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

5. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Final Judgment.

6. Defendant enters into this Consent voluntarily and represents that no threats, offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce Defendant to enter into this Consent.

7. Defendant agrees that this Consent shall be incorporated into the Final Judgment with the same force and effect as if fully set forth therein.

8. Defendant will not oppose the enforcement of the Final Judgment on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waives any objection based thereon.

9. Defendant waives service of the Final Judgment and agrees that entry of the Final Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions. Defendant further agrees to provide counsel for the Commission, within thirty days after the Final Judgment is filed with the Clerk of the Court, with an affidavit or declaration stating that Defendant received and read a copy of the Final Judgment.

10. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted against Defendant in this civil proceeding. Defendant acknowledges that no promise or representation has been made by the Commission or any member, officer, employee, agent, or representative of the Commission with regard to any criminal liability that may have arisen or may arise from the facts underlying this action or immunity from any such criminal liability.

Defendant waives any claim of Double Jeopardy based upon the settlement of this proceeding, including the imposition of any remedy or civil penalty herein. Defendant further acknowledges that the Court's entry of a permanent injunction may have collateral consequences under federal or state law and the rules and regulations of self-regulatory organizations, licensing boards, and other regulatory organizations. Such collateral consequences include, but are not limited to, a statutory disqualification with respect to membership or participation in, or association with a member of, a self-regulatory organization. This statutory disqualification has consequences that are separate from any sanction imposed in an administrative proceeding. In addition, in any disciplinary proceeding before the Commission based on the entry of the injunction in this action, Defendant understands that he shall not be permitted to contest the factual allegations of the complaint in this action.

11. Defendant understands and agrees to comply with the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings." 17 C.F.R. § 202.5. In compliance with this policy, Defendant acknowledges the conviction for related criminal conduct described in paragraph 2 above, and agrees: (i) not to take any action or to make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; and (ii) that upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint. If Defendant breaches this agreement, the Commission may petition the Court to vacate the Final Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant's: (i) testimonial obligations; or (ii) rights to take

legal or factual positions in litigation or other legal proceedings in which the Commission is not a party.

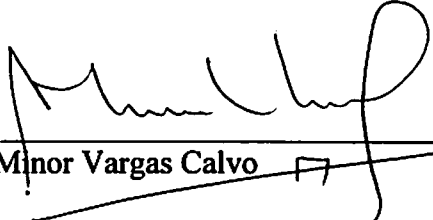
12. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.

13. In connection with this action and any related judicial or administrative proceeding or investigation commenced by the Commission or to which the Commission is a party, Defendant (i) agrees to appear and be interviewed by Commission staff at such times and places as the staff requests upon reasonable notice; (ii) will accept service by mail or facsimile transmission of notices or subpoenas issued by the Commission for documents or testimony at depositions, hearings, or trials, or in connection with any related investigation by Commission staff; (iii) appoints Defendant's undersigned attorney(s) as agent(s) to receive service of such notices and subpoenas; (iv) with respect to such notices and subpoenas, waives the territorial limits on service contained in Rule 45 of the Federal Rules of Civil Procedure and any applicable local rules, provided that the party requesting the testimony reimburses Defendant's travel, lodging, and subsistence expenses at the then-prevailing U.S. Government per diem rates; and (v) consents to personal jurisdiction over Defendant in any United States District Court for purposes of enforcing any such subpoena.

14. Defendant agrees that the Commission may present the Final Judgment to the Court for signature and entry without further notice.

15. Defendant agrees that this Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of the Final Judgment.

Dated: August 1, 2012



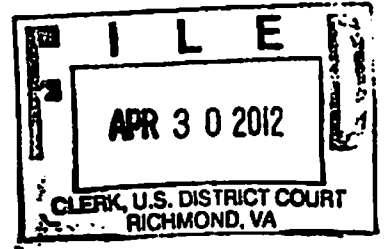
Minor Vargas Calvo

On _____, 2012, _____, a person known to me, personally appeared before me and acknowledged executing the foregoing Consent.

Notary Public
Commission expires:

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division



UNITED STATES OF AMERICA,)
)
v.)
)
MINOR VARGAS CALVO,)
)
Defendant.)

Criminal No. 3:11CR014

VERDICT FORM

COUNT ONE
(Wire and Mail Fraud Conspiracy)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count One of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT TWO
(Wire Fraud)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count Two of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT THREE

(Wire Fraud)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count Three of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT FOUR

(Wire Fraud)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count Four of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT FIVE

(Mail Fraud)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count Five of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT SIX

(Mail Fraud)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO,

Guilty as charged in Count Six of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT SEVEN

(Mail Fraud)

Minor Vargas Calvo

We, the jury, unanimously find the defendant, ~~WALTER BROOKS,~~

pag. 1 E77

Guilty as charged in Count Seven of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT EIGHT

(Money Laundering)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO

Guilty as charged in Count Eight of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT NINE

(Money Laundering)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO

Guilty as charged in Count Nine of the Superseding Indictment.
(Guilty or Not Guilty)

COUNT TEN

(Money Laundering)

We, the jury, unanimously find the defendant, MINOR VARGAS CALVO

Guilty as charged in Count Ten of the Superseding Indictment.
(Guilty or Not Guilty)

So Say We All, this 30 day of April, 2012.

Pursuant to the E-Govt Act, the original of this page has been filed under seal in the Clerk's Office.