

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

SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
DAVID RONALD ALLEN, et al.,	:	
	:	Civil Action No.:3:11-CV-882-O
	:	
Defendants,	:	
	:	
and	:	
	:	
PATRICIA ALLEN, et al.,	:	
	:	
	:	
Relief Defendants.	:	
	:	

FINAL JUDGMENT AS TO DEFENDANTS ROBERT WILSON AND STRATEGIC CAPITAL AND RELIEF DEFENDANT GREEN HORSESHOE HOLDINGS, INC.

Before the Court is Plaintiff Securities and Exchange Commission’s (“Commission”) Motion for Final Judgment of Disgorgement, Prejudgment Interest, Third Tier Penalty, and Penny Stock Bar Against Defendant Wilson and His Related Entities (ECF No. 209). By Order of December 21, 2011, the Court granted the Unopposed Motion of Plaintiff Securities and Exchange Commission for Judgment against Defendants Wilson and Strategic Capital (“Defendants”) and Relief Defendant Green Horseshoe Holdings, Inc. (“Relief Defendant”) and

provided that, upon motion of the Commission the Court would determine the appropriateness of a permanent penny stock bar as to Defendant Wilson, that Defendants would pay disgorgement, prejudgment interest and a civil penalty, the amounts to be determined by the Court upon motion by the Commission, and that Relief Defendant would pay disgorgement and prejudgment interest, the amounts to be determined by the Court upon motion by the Commission. The Commission has now moved, pursuant to the December 21, 2011 Judgment, which is incorporated by reference, for entry of final judgment against Defendants and Relief Defendant Green Horseshoe Holdings, Inc., including injunctive relief, disgorgement, prejudgment interest, and a civil penalty against Defendants, a bar on participating in penny stock offerings against Defendant Wilson, and disgorgement and prejudgment interest against Relief Defendant. Having considered the motion, the Court finds that it should be and is hereby **GRANTED**. Accordingly, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

I.

Defendants Robert Wilson and Strategic Capital and Defendants' 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 which operates or would operate as a fraud or deceit upon any person.

II.

Defendants Robert Wilson and Strategic Capital and Defendants' 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(b) of the Securities Act of 1933 (the "Securities Act") [15 U.S.C. § 77q(b)] 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 to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for consideration received or to be received, directly or indirectly, from an issuer, underwriter, or dealer, without fully disclosing the receipt, whether part or prospective, of such consideration and the amount thereof.

III.

Defendant Robert Wilson is permanently barred from participating in an offering of penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock. A penny stock is any equity security that has a price of less than five dollars, except as provided in Rule 3a5-1 under the Exchange Act [17 C.F.R. § 240.3a51-1].

IV.

Defendants Robert Wilson and Strategic Capital are jointly and severally liable for disgorgement of \$644,269, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$120,617, for a total of \$764,886, and a civil penalty of \$664,269, pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)]. Defendants shall satisfy this obligation by paying \$1,429,155, to the Securities and Exchange Commission within fourteen business days after entry of this Final Judgment.

Defendants may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account or by credit or debit card via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendants may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma, City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Defendants Wilson and Strategic Capital as defendants in this action; and specifying that payment is made pursuant to this Final Judgment.

Defendants shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendants relinquish all legal and equitable right, title, and interest in such funds, and no part of such funds shall be returned to Defendants. The Commission shall send the funds paid pursuant

to this Final Judgment to the United States Treasury.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collections procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

V.

Relief Defendant Green Horseshoe Holdings, Inc. and Defendant Wilson are jointly and severally liable for additional disgorgement of \$61,050, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$12,017, for a total of \$73,067. Relief Defendant and Defendant Wilson shall satisfy this obligation by paying \$73,067, to the Securities and Exchange Commission within fourteen business days after entry of this Final Judgment.

Relief Defendant and Defendant Wilson may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account or by credit or debit card via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Relief Defendant Green Horseshoe Holdings, Inc. as a relief defendant in this action

and Defendant Robert Wilson as a defendant in this matter; and specifying that payment is made pursuant to this Final Judgment.


Relief Defendant and Defendant Wilson shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. By making this payment, Relief Defendant and Defendant Wilson relinquish all legal and equitable right, title, and interest in such funds, and no part of such funds shall be returned to Relief Defendant and Defendant Wilson. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Relief Defendant and Defendant Wilson shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

VI.

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.

SO ORDERED on this **28th day of November, 2012.**



Reed O'Connor
UNITED STATES DISTRICT JUDGE