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11 Securities and Exchange Commission  
12 5670 Wilshire Boulevard, 11<sup>th</sup> Floor  
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16 Attorneys for Plaintiff

17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 SECURITIES AND EXCHANGE  
20 COMMISSION,

21 Plaintiff,

22 vs.

23 HEART TRONICS, INC., MITCHELL JAY  
24 STEIN, WILLIE JAMES GAULT,  
25 J. ROWLAND PERKINS, II, MARTIN  
26 BERT CARTER, MARK CROSBY  
27 NEVDAHL, and RYAN ALLAN RAUCH,  
28 Defendants,

TRACEY HAMPTON-STEIN, ARC  
FINANCE GROUP, LLC, ARC BLIND  
TRUST, THS BLIND TRUST, JAYMI  
BLIND TRUST, OAK TREE  
INVESTMENTS BLIND TRUST, WBT  
INVESTMENTS BLIND TRUST, CATCH  
83 GENERAL PARTNERSHIP, and FIVE  
INVESTMENTS PARTNERSHIP,  
Relief Defendants.

Case No. SACV11-1962-JVS(ANX)

FINAL JUDGMENT AS TO  
MARTIN CARTER

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2 **FINAL JUDGMENT AS TO DEFENDANT MARTIN B. CARTER**

3 The Securities and Exchange Commission having filed a Complaint and  
4 Defendant Martin B. Carter having entered a general appearance; consented to the  
5 Court's jurisdiction over Defendant and the subject matter of this action; consented  
6 to entry of this Final Judgment; waived findings of fact and conclusions of law;  
7 and waived any right to appeal from this Final Judgment:  
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10 I.

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

25 (b) to engage in any act, practice, or course of business which operates or  
26 would operate as a fraud 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 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; or
- (b) 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 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 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the absence of any applicable exemption:

1 (a) Unless a registration statement is in effect as to a security, making use  
2 of any means or instruments of transportation or communication in  
3 interstate commerce or of the mails to sell such security through the  
4 use or medium of any prospectus or otherwise; or  
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6 (b) Making use of any means or instruments of transportation or  
7 communication in interstate commerce or of the mails to offer to sell  
8 or offer to buy through the use or medium of any prospectus or  
9 otherwise any security, unless a registration statement has been filed  
10 with the Commission as to such security, or while the registration  
11 statement is the subject of a refusal order or stop order or (prior to the  
12 effective date of the registration statement) any public proceeding or  
13 examination under Section 8 of the Securities Act [15 U.S.C. § 77h].  
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17 IV.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND  
19 DECREED that Defendant and Defendant's agents, servants, employees, attorneys,  
20 and all persons in active concert or participation with them who receive actual  
21 notice of this Final Judgment by personal service or otherwise are permanently  
22 restrained and enjoined from violating, directly or indirectly, Section 13(b)(5) of  
23 the Exchange Act [15 U.S.C. § 78m(b)(5)] by knowingly circumventing or  
24 knowingly failing to implement a system of internal accounting controls or  
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1 knowingly falsifying any book, record, or account described in Sections  
2 13(b)(2)(A) and 13(b)(2)(B) of the Exchange Act [15 U.S.C. §§ 78m(b)(2)(A) and  
3 78(m)(b)(B)].  
4

5 V.

6 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
7 that Defendant and Defendants' agents, servants, employees, attorneys, and all  
8 persons in active concert or participation with them who receive actual notice of  
9 this Final Judgment by personal service or otherwise are permanently restrained  
10 and enjoined from violating, directly or indirectly, Rule 13b2-1 of the Exchange  
11 Act [17 C.F.R. § 240.13b2-1] by falsifying, or causing to be falsified, any book,  
12 record, or account described in Section 13(b)(2)(A) of the Exchange Act [15 U.S.C.  
13 § 78m(b)(2)(A)].  
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17 VI.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
19 that Defendant and Defendant's agents, servants, employees, attorneys, and all  
20 persons in active concert or participation with them who receive actual notice of  
21 this Final Judgment by personal service or otherwise are permanently restrained  
22 and enjoined from aiding and abetting any violation of Sections 10(b), 13(a), and  
23 13(b)(2)(A) of the Exchange Act [15 U.S.C. § 78m(a)] and Rules 10b-5, 12b-20,  
24 13a-1, 13a-11 and 13a-13 of the Exchange Act [17 C.F.R. §§ 240.12b-20, 240.13a-  
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1 1, 240.13a-11 and 240.13a-13], including by knowingly providing substantial  
2 assistance to an issuer who files or causes to be filed with the Commission any  
3 periodic or current report pursuant to Section 13(a) and the rules and regulations  
4 promulgated thereunder, which contains any untrue statement of a material fact, or  
5 which omits to state a material fact necessary in order to make statements made, in  
6 light of the circumstances under which they were made, not misleading, or which  
7 fails to comply in any material respect with the requirements of Section 13(a) of  
8 the Exchange Act and the rules and regulations thereunder.  
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11 VII.

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13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that,  
14 pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and  
15 Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)], Defendant is permanently  
16 prohibited, following the date of entry of this Final Judgment, from acting as an  
17 officer or director of any issuer that has a class of securities registered pursuant to  
18 Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports  
19 pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].  
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22 VIII.

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24 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
25 that, pursuant to Section 20(g) of the Securities Act [15 U.S.C. § 77t(g)] and  
26 Section 21(d)(6) of the Exchange Act [15 U.S.C. § 78u(d)(6)], Defendant is  
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1 permanently barred from participating in an offering of penny stock, including  
2 engaging in activities with a broker, dealer, or issuer for purposes of issuing,  
3 trading, or inducing or attempting to induce the purchase or sale of any penny  
4 stock. A penny stock is any equity security that has a price of less than five  
5 dollars, except as provided in Rule 3a51-1 under the Exchange Act [17 C.F.R.  
6 240.3a51-1].  
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9 IX.

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11 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
12 that Defendant is liable for disgorgement of \$2,078,000, representing profits  
13 gained as a result of the conduct alleged in the Complaint, together with  
14 prejudgment interest thereon in the amount of \$333,947.18, for a total of  
15 \$2,411,947.18. Based on Defendant's sworn representations in his Statement of  
16 Financial Condition dated March 5, 2012, and other documents and information  
17 submitted to the Commission, however, the Court is not ordering Defendant to pay  
18 a civil penalty and payment of the disgorgement and pre-judgment interest thereon  
19 is waived. The determination not to impose a civil penalty and to waive payment  
20 of the disgorgement and pre-judgment interest is contingent upon the accuracy and  
21 completeness of Defendant's Statement of Financial Condition. If at any time  
22 following the entry of this Final Judgment the Commission obtains information  
23 indicating that Defendant's representations to the Commission concerning his  
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1 assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate, or  
2 incomplete in any material respect as of the time such representations were made,  
3 the Commission may, at its sole discretion and without prior notice to Defendant,  
4 petition the Court for an order requiring Defendant to pay the unpaid portion of the  
5 disgorgement, pre-judgment and post-judgment interest thereon, and the maximum  
6 civil penalty allowable under the law. In connection with any such petition, the  
7 only issue shall be whether the financial information provided by Defendant was  
8 fraudulent, misleading, inaccurate, or incomplete in any material respect as of the  
9 time such representations were made. In its petition, the Commission may move  
10 this Court to consider all available remedies, including, but not limited to, ordering  
11 Defendant to pay funds or assets, directing the forfeiture of any assets, or sanctions  
12 for contempt of this Final Judgment. The Commission may also request additional  
13 discovery. Defendant may not, by way of defense to such petition: (1) challenge  
14 the validity of the Consent or this Final Judgment; (2) contest the allegations in the  
15 Complaint filed by the Commission; (3) assert that payment of disgorgement, pre-  
16 judgment and post-judgment interest or a civil penalty should not be ordered; (4)  
17 contest the amount of disgorgement and pre-judgment and post-judgment interest;  
18 (5) contest the imposition of the maximum civil penalty allowable under the law;  
19 or (6) assert any defense to liability or remedy, including, but not limited to, any  
20 statute of limitations defense.  
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1 X.

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

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

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16 There being no just reason for delay, pursuant to Rule 54(b) of the Federal  
17 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment  
18 forthwith and without further notice.  
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21 Dated: August 09, 2012

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24 UNITED STATES DISTRICT JUDGE

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(ANx), **CLOSED**, DISCOVERY, MANADR

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA  
(Southern Division - Santa Ana)  
CIVIL DOCKET FOR CASE #: 8:11-cv-01962-JVS-AN**

Securities and Exchange Commission v. Heart Tronics Inc et al  
Assigned to: Judge James V. Selna  
Referred to: Magistrate Judge Arthur Nakazato  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 12/20/2011  
Date Terminated: 05/31/2012  
Jury Demand: None  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Securities and Exchange Commission**

represented by **David J Van Havermaat**  
Securities and Exchange Commission  
5670 Wilshire Boulevard 11th Floor  
Los Angeles, CA 90036-3648  
323-965-3998  
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Email: vanhavermaatd@sec.gov  
**ATTORNEY TO BE NOTICED**

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**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

V.

**Intervenor Plaintiff**

**United States of America**

represented by **Albert B Stieglitz , Jr**  
United States Department of Justice  
Criminal Division  
1400 New York Avenue NW  
Washington, DC 20530  
202-305-4002  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Heart Tronics Inc**

represented by **Timothy A Horton**  
McKenna Long and Aldridge LLP  
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San Diego, CA 92121  
619-595-5400  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Mitchell Jay Stein**

represented by **Andrew M Weitz**  
Apire Law Group LLP  
28720 Canwood Street Suite 204  
Agoura Hills, CA 91201  
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Email: eric@ewittenberglaw.com

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Willie James Gault**

represented by **Douglas C Emhoff**

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2049 Century Park East Suite 2100

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*ATTORNEY TO BE NOTICED*

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Email: jlevin@venable.com

*ATTORNEY TO BE NOTICED*

**Defendant**

**J. Rowland Perkins, II**

represented by **Timothy A Horton**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Michael G Scheininger**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Timothy K Halloran**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Martin Bert Carter**

**Defendant**

**Mark Crosby Nevdahl**

**Defendant**

**Ryan Allan Rauch**

**Defendant**

**Tracey Hampton Stein**

represented by **Andrew M Weitz**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eric Wittenberg**  
 (See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**ARC Finance Group LLC**

**Defendant**

**ARC Blind Trust**

**Defendant**

**THS Blind Trust**

**Defendant**

**Jaymi Blind Trust**

**Defendant**

**Oak Tree Investments Blind Trust**

**Defendant**

**WBT Investments Blind Trust**

**Defendant**

**Catch 83 General Partnership**

represented by **Douglas C Emhoff**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Jennifer Levin**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Five Investments Partnership**

Date Filed	#	Docket Text
12/20/2011	<a href="#"><u>1</u></a>	COMPLAINT against defendants ARC Blind Trust, ARC Finance Group LLC, Martin Brett Carter, Catch 83 General Partnership, Five Investments Partnership, Willie James Gault, Tracey Hampton Stein, Heart Tronics Inc, Jaymi Blind Trust, Mark Crosby Nevdahl, Oak Tree Investments Blind Trust, J. Rowland Perkins, II, Ryan Allan Rauch, Mitchell Jay Stein, THS Blind Trust, WBT Investments Blind Trust. Case assigned to Judge James V. Selna for all further proceedings. Discovery referred to Magistrate Judge Arthur Nakazato. (No Fee) Filed by plaintiff Securities and Exchange Commission. (ade) (Entered: 12/21/2011)
12/20/2011		21 DAY Summons Issued re Complaint - (Discovery) <a href="#"><u>1</u></a> as to defendants ARC Blind Trust, ARC Finance Group LLC, Martin Brett Carter, Catch 83 General Partnership, Five Investments Partnership, Willie James Gault, Tracey Hampton Stein, Heart Tronics Inc, Jaymi Blind Trust, Mark Crosby Nevdahl, Oak Tree Investments Blind Trust, J. Rowland Perkins, II, Ryan Allan Rauch, Mitchell Jay Stein, THS Blind Trust,

		WBT Investments Blind Trust. (ade) Modified on 12/27/2011 (lwag). (Entered: 12/21/2011)
12/20/2011	<a href="#">2</a>	NOTICE TO PARTIES OF ADR PROGRAM filed.(ade) (Entered: 12/21/2011)
01/11/2012	<a href="#">3</a>	APPLICATION for attorney Mark Lanpher to Appear Pro Hac Vice (PHV FEE WAIVED.) filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Proposed Order On Application of Non-Resident Attorney to Appear)(Van Havermaat, David) (Entered: 01/11/2012)
01/12/2012	<a href="#">4</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Martin Bert Carter waiver sent by Plaintiff on 1/4/2012, answer due 3/4/2012. Waiver of Service signed by Martin B. Carter. (Lanpher, Mark) (Entered: 01/12/2012)
01/12/2012	<a href="#">5</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Mark Crosby Nevdahl waiver sent by Plaintiff on 1/4/2012, answer due 3/4/2012. Waiver of Service signed by Mark Roth, Esq. (Lanpher, Mark) (Entered: 01/12/2012)
01/12/2012	<a href="#">6</a>	ORDER by Judge James V. Selna: granting <a href="#">3</a> Application to Appear Pro Hac Vice by Attorney Mark Lanpher on behalf of Plaintiff SEC, designating David J. Van Havermaat as local counsel. (lt) (Entered: 01/17/2012)
01/17/2012	<a href="#">7</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Willie James Gault waiver sent by Plaintiff on 1/4/2012, answer due 3/4/2012; Heart Tronics Inc waiver sent by Plaintiff on 1/4/2012, answer due 3/4/2012; J. Rowland Perkins, II waiver sent by Plaintiff on 1/4/2012, answer due 3/4/2012. Waiver of Service signed by Jared Scharf, Esq.. (Lanpher, Mark) (Entered: 01/17/2012)
01/18/2012	<a href="#">8</a>	Initial ORDER Following the Filing of Complaint by Judge James V. Selna. (ade) (Entered: 01/18/2012)
01/26/2012	<a href="#">9</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Ryan Allan Rauch waiver sent by Plaintiff on 1/25/2012, answer due 3/25/2012. Waiver of Service signed by Ryan Rauch. (Lanpher, Mark) (Entered: 01/26/2012)
01/31/2012	<a href="#">10</a>	PROOF OF SERVICE Executed by Plaintiff Securities and Exchange Commission, upon Defendant Mitchell Jay Stein served on 1/21/2012, answer due 2/11/2012. Service of the Summons and Complaint were executed upon Tracy Hampton-Stein, wife of defendant Mitchell Stein, in compliance with Federal Rules of Civil Procedure by substituted service at home address and no service by mail was executed. Original Summons NOT returned. (Lanpher, Mark) (Entered: 01/31/2012)
01/31/2012	<a href="#">11</a>	PROOF OF SERVICE Executed by Plaintiff Securities and Exchange Commission, upon Defendant Tracey Hampton Stein served on 1/21/2012, answer due 2/11/2012. Service of the Summons and Complaint were executed upon Tracy Hampton-Stein in compliance with Federal Rules of Civil Procedure by personal service. Original Summons NOT returned. (Lanpher, Mark) (Entered: 01/31/2012)
02/07/2012	<a href="#">12</a>	NOTICE NOTICE OF APPEARANCE FOR WILLIE JAMES GAULT filed by DEFENDANT Willie James Gault. (Emhoff, Douglas) (Entered: 02/07/2012)
02/07/2012	<a href="#">13</a>	NOTICE Amended Notice of Appearance for Willie James Gault filed by DEFENDANT Willie James Gault. (Emhoff, Douglas) (Entered: 02/07/2012)

02/16/2012	<a href="#">14</a>	ORDER setting rule 26(f) scheduling conference by Judge James V. Selna. See order for more information. (Scheduling Conference set for 4/23/2012 11:30 AM before Judge James V. Selna.) (twdb) (Entered: 02/16/2012)
02/24/2012	<a href="#">15</a>	First STIPULATION Extending Time to Answer the complaint as to Willie James Gault answer now due 3/26/2012, re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) <a href="#">1</a> filed by Defendant Willie James Gault.(Levin, Jennifer) (Entered: 02/24/2012)
02/24/2012	<a href="#">16</a>	APPLICATION for attorney Timothy K. Halloran to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II. (Attachments: # <a href="#">1</a> Proposed Order)(Horton, Timothy) (Entered: 02/24/2012)
02/24/2012	<a href="#">17</a>	APPLICATION for attorney Michael G. Scheininger to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II. (Attachments: # <a href="#">1</a> Proposed Order)(Horton, Timothy) (Entered: 02/24/2012)
02/24/2012	<a href="#">18</a>	NOTICE of Appearance filed by attorney Timothy A Horton on behalf of Defendants Heart Tronics Inc, J. Rowland Perkins, II (Horton, Timothy) (Entered: 02/24/2012)
02/29/2012	<a href="#">19</a>	ORDER by Judge James V. Selna: granting <a href="#">16</a> Application to Appear Pro Hac Vice by Attorney Timothy K. Halloran on behalf of Defendants Heart Tronics, Inc. and J. Rowland Perkins,II, designating Timothy A. Horton as local counsel. (lt) (Entered: 03/01/2012)
02/29/2012	<a href="#">20</a>	ORDER by Judge James V. Selna: granting <a href="#">17</a> Application to Appear Pro Hac Vice by Attorney Michael G. Scheininger on behalf of Defendants Heart Tronics, Inc. and J. Rowland Perkins,II, designating Timothy A. Horton as local counsel. (lt) (Entered: 03/01/2012)
03/01/2012	<a href="#">21</a>	NOTICE of Appearance filed by attorney Jennifer Levin on behalf of Defendant Catch 83 General Partnership (Levin, Jennifer) (Entered: 03/01/2012)
03/07/2012	<a href="#">22</a>	CORPORATE DISCLOSURE STATEMENT filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II (Horton, Timothy) (Entered: 03/07/2012)
03/07/2012	<a href="#">23</a>	<i>Certification</i> of Interested Parties filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II, identifying Heart Tronics, Inc. and its unnamed shareholders; Mitchell Jay Stein; Willie James Gault; J. Rowland Perkins, II; Martin Bert Carter; Mark Crosby Nevdahl; Ryan Allan Rauch; Tracey Hampton-Stein; James N. Fiedler; John Martin Woodbury, Jr.; ARC Finance Group, LLC; ARC Blind Trust; THS Blind Trust; JAYMI Blind Trust; Oak Tree Investments Blind Trust; WBT Investments Blind Trust; Catch 83 General Partnership; Five Investments Partnership; AXIS Insurance Company. (Horton, Timothy) (Entered: 03/07/2012)
03/07/2012	<a href="#">24</a>	Joint STIPULATION for Extension of Time to File Answer or Motion to Dismiss, or Otherwise Respond to Complaint filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II. (Attachments: # <a href="#">1</a> Proposed Order)(Horton, Timothy) (Entered: 03/07/2012)
03/08/2012	<a href="#">25</a>	ORDER by Judge James V. Selna: Pursuant to the Joint Stipulation <a href="#">24</a> entered into by Plaintiff Securities and Exchange Commission (Plaintiff), Defendants Heart Tronics, Inc., J. Rowland Perkins, Willie James Gault, Mark Crosby Nevdahl, Martin Bert Carter, and Ryan Rauch (collectively the Defendants), IT IS ORDERED that: 1. The deadline for each of the Defendants to answer, move to dismiss, or otherwise respond to the Complaint shall be Wednesday, April 4, 2012. 2. Should Defendants move to



		dismiss or strike allegations in the Complaint, the deadline for Plaintiff to oppose any Motion to Dismiss and/or Motion to Strike shall be extended to thirty (30) days after the deadline for a response, to Friday, May 4, 2012; 3. The deadline for Defendants to reply shall be extended to twenty-one (21) days after Plaintiffs Opposition(s) are due, to Friday, May 25, 2012; and 4. The hearing on any motion in response to the Complaint will be Monday, June 11, 2012, at 1:30 p.m. (rla) (Entered: 03/12/2012)
03/19/2012	<a href="#">26</a>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice (Other) <a href="#">12</a> , <a href="#">13</a> . The following error(s) was found: Incorrect event selected. The correct event is: Appearance of Counsel. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lom) (Entered: 03/19/2012)
03/23/2012	<a href="#">27</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon ARC Blind Trust waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq.. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">28</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon ARC Finance Group LLC waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq.. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">29</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon THS Blind Trust waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq.. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">30</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Jaymi Blind Trust waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq.. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">31</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Oak Tree Investments Blind Trust waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq.. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">32</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon WBT Investments Blind Trust waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">33</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Five Investments Partnership waiver sent by Plaintiff on 2/22/2012, answer due 4/22/2012. Waiver of Service signed by Eric Wittenberg, Esq. (Lanpher, Mark) (Entered: 03/23/2012)
03/23/2012	<a href="#">34</a>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Securities and Exchange Commission. upon Catch 83 General Partnership waiver sent by Plaintiff on 2/14/2012, answer due 4/14/2012. Waiver of Service signed by Jennifer Levin, Esq. (Lanpher, Mark) (Entered: 03/23/2012)
03/27/2012	<a href="#">35</a>	APPLICATION for Order for to adjourn Rule 26(f) Scheduling Conference filed by

		Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Proposed Order) (Lanpher, Mark) (Entered: 03/27/2012)
04/03/2012	<a href="#">36</a>	UNITED STATES' UNOPPOSED MOTION to Intervene, and Stay Discovery In the Civil Case Pending CRIMINAL DISPOSITION; filed by Intervener United States of America. Lodged ORDER. (rla) (Entered: 04/05/2012)
04/04/2012	<a href="#">37</a>	ORDER by Judge James V. Selna. WHEREAS Plaintiff Securities and Exchange Commission (the "SEC"), has submitted an unopposed application <a href="#">35</a> to adjourn the Rule 26(f) Scheduling Conference in this case, currently scheduled for April 23, 2012 at 11:30 a.m., for a period of 60 days. AND WHEREAS this Court finds that there is good cause to adjourn the Rule 26(f) Scheduling Conference for a period of 60 days. IT IS HEREBY ORDERED that the Rule 26(f) Scheduling Conference in this case is rescheduled for June 18, 2012 at 11:00 a.m. (dro) (Entered: 04/05/2012)
04/04/2012	<a href="#">39</a>	ORDER GRANTING UNITED STATES' UNOPPOSED MOTION TO INTERVENE AND STAY DISCOVERY IN THE CIVIL CASE PENDING CRIMINAL DISPOSITION, by Judge James V. Selna. On March 30, 2012, the United States moved to intervene and stay discovery <a href="#">36</a> of this case pending resolution of the parallel criminal prosecution, United States of America v. Mitchell J. Stein, No. 11-80205-CR-MARRA/HOPKINS, currently pending in the Southern District of Florida. No party in this case opposed the applicable law, as well as the lack of opposition from all parties in this case, the Court permits the United States to intervene pursuant to Federal Rule of Civil Procedure 24 and determines that a stay of discovery in the instant proceeding is appropriate pending the outcome of the parallel criminal proceeding. Accordingly, the Court hereby: STAYS discovery in this case pending the outcome of United State of America v. Mitchell J. Stein, No. 11-80205-CR-MARRA/HOPKINS. (dro) (Entered: 04/06/2012)
04/04/2012	<a href="#">41</a>	NOTICE OF DISCREPANCY AND ORDER: by Judge James V. Selna, ORDERING Complaint submitted by Plaintiff Securities and Exchange Commission received on 4/3/12 is not to be filed but instead rejected. Denial based on: No certification of interested parties. (twdb) (Entered: 04/09/2012)
04/05/2012	<a href="#">38</a>	APPLICATION for attorney Eric J. Wittenberg to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by defendant Mitchell Jay Stein. (Weitz, Andrew) (Entered: 04/05/2012)
04/06/2012	<a href="#">40</a>	STIPULATION for Extension of Time to File Briefing Schedule to Response to Plaintiffs Complaint filed by Defendants J. Rowland Perkins, II. (Attachments: # <a href="#">1</a> Proposed Order Extending Briefing Schedule for Defendants to Respond to Plaintiff's Complaint)(Horton, Timothy) (Entered: 04/06/2012)
04/09/2012	<a href="#">42</a>	ORDER by Judge James V. Selna, re Stipulation for Extension of briefing schedule for defendants to respond to plaintiffs complaint <a href="#">40</a> . (twdb) (Entered: 04/09/2012)
05/04/2012	<a href="#">43</a>	Joint STIPULATION for Extension of Time to File Answer to June 4, 2012 re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) <a href="#">1</a> filed by Defendants Catch 83 General Partnership, Willie James Gault. (Attachments: # <a href="#">1</a> Proposed Order)(Levin, Jennifer) (Entered: 05/04/2012)
05/04/2012	<a href="#">44</a>	NOTICE OF MOTION AND MOTION to Dismiss Complaint filed by Defendant Mitchell J. Stein, et al. Mitchell Jay Stein. (Wittenberg, Eric) (Entered: 05/04/2012)
05/04/2012	<a href="#">45</a>	NOTICE OF MOTION AND MOTION to Dismiss Case filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II. Motion set for hearing on 7/9/2012 at 01:30 PM

		before Judge James V. Selna. (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Proposed Order, # <a href="#">3</a> Proof of Service)(Horton, Timothy) (Entered: 05/04/2012)
05/04/2012	<a href="#">46</a>	REQUEST FOR JUDICIAL NOTICE re MOTION to Dismiss Case <a href="#">45</a> filed by Defendants Heart Tronics Inc, J. Rowland Perkins, II. (Attachments: # <a href="#">1</a> Exhibit A-J) (Horton, Timothy) (Entered: 05/04/2012)
05/04/2012	<a href="#">47</a>	ORDER granting Stipulation to Extending Defendants Willie James Gault and Catch 83 General Partnership's Deadline to respond to Plaintiff's Complaint <a href="#">43</a> . IT IS ORDERED that the deadline for Defendants to answer, move to dismiss or otherwise respond to the Complaint shall be extended by 31 days to June 4, 2012. (rrp) (Entered: 05/04/2012)
05/30/2012	<a href="#">48</a>	APPLICATION for Order for adjournment of Rule 26(f) Scheduling Conference ( <i>Unopposed</i> ) filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Proof of Service)(Lanpher, Mark) (Entered: 05/30/2012)
05/31/2012	<a href="#">50</a>	ORDER by Judge James V. Selna: granting <a href="#">48</a> Application. IT IS HEREBY ORDERED that the Rule 26(f) Scheduling Conference is adjourned and will be rescheduled after the stay of discovery previously entered in this case is lifted. (twdb) (Entered: 06/01/2012)
05/31/2012	<a href="#">51</a>	MINUTE ORDER IN CHAMBERS by Judge James V. Selna: ORDER REMOVING ACTION FROM ACTIVE CASELOAD. In order to permit the Court to monitor this action, the Court hereby orders the parties to file a joint status report not later than August 31, 2012. Successive reports shall be filed every ninety (90) days thereafter. Each report must indicate the date on which the next report is due. (Made JS-6. Case Terminated.) (twdb) (Entered: 06/01/2012)
06/01/2012	<a href="#">49</a>	Joint STIPULATION for Extension of Time to File Answer to August 3, 2012 re Complaint - (Discovery), Complaint - (Discovery), Complaint - (Discovery) <a href="#">1</a> filed by Defendants Catch 83 General Partnership, Willie James Gault. (Attachments: # <a href="#">1</a> Proposed Order)(Levin, Jennifer) (Entered: 06/01/2012)
06/04/2012	<a href="#">52</a>	ORDER by Judge James V. Selna, re Stipulation to Extend Time to Answer (More than 30 days) <a href="#">49</a> . IT IS ORDERED that the deadline for Defendants to answer, move to dismiss or otherwise respond to the Complaint shall be extended by 60 days to August 3, 2012. (twdb) (Entered: 06/04/2012)
06/04/2012	<a href="#">53</a>	MEMORANDUM in Opposition to MOTION to Dismiss Case <a href="#">45</a> filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Proof of Service)(Lanpher, Mark) (Entered: 06/04/2012)
06/04/2012	<a href="#">54</a>	MEMORANDUM in Opposition to MOTION to Dismiss Complaint <a href="#">44</a> filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Proof of Service) (Lanpher, Mark) (Entered: 06/04/2012)
06/21/2012	<a href="#">55</a>	MINUTE ORDER IN CHAMBERS by Judge James V. Selna, Vacating Defendants Motion to Dismiss: The Court removed this action from the active caseload on May 31, 2012 pursuant to the stay in this case pending conclusion of a related criminal matter in the Southern District of Florida. (Docket No. 51.) Accordingly, the motion to dismiss (originally noticed for July 9, 2012) will not be heard until the stay is lifted. Defendant Heart Tronics may re-notice the motion once the Court vacates the stay. (rla) (Entered: 06/21/2012)
08/08/2012	<a href="#">56</a>	NOTICE of Filing of Defendant Martin Carter's Consent and Proposed Final

		Judgment filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Lanpher, Mark) (Entered: 08/08/2012)
08/08/2012	<a href="#">57</a>	NOTICE of Filing of Defendant Ryan Rauch's Consent and Proposed Final Judgment filed by Plaintiff Securities and Exchange Commission. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Lanpher, Mark) (Entered: 08/08/2012)
08/09/2012	<a href="#">58</a>	FINAL JUDGMENT as to Martin Carter by Judge James V. Selna, Related to: Notice (Other) <a href="#">57</a> . (twdb) (Entered: 08/10/2012)
08/09/2012	<a href="#">59</a>	FINAL JUDGMENT as to defendant Ryan Rauch by Judge James V. Selna, Related to: Judgment <a href="#">58</a> (twdb) (Entered: 08/10/2012)
08/31/2012	<a href="#">60</a>	NOTICE of filing of Joint Status Report filed by plaintiff Securities and Exchange Commission. (Lanpher, Mark) (Entered: 08/31/2012)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
09/04/2012 07:02:17			
<b>PACER Login:</b>	se2776	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	8:11-cv-01962-JVS-AN End date: 9/4/2012
<b>Billable Pages:</b>	8	<b>Cost:</b>	0.80