

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 12-61077-CIV-ROSENBAUM

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

SCOTT A. HAIRE and WOUND
MANAGEMENT TECHNOLOGIES, INC.,

Defendants.

_____ /

FINAL JUDGMENT AS TO DEFENDANT SCOTT A. HAIRE

This matter is before the Court upon Plaintiff Securities and Exchange Commission's Motion to Approve Consent Judgment [D.E. 42] as to Defendant Scott A. Haire. The Securities and Exchange Commission ("SEC") filed its Complaint against Defendants on June 4, 2012. D.E. 1. Subsequently, the SEC filed this Motion to enter an agreed judgment against Haire. D.E. 42. Attached to the SEC's Motion is Haire's Consent to entry of judgment, in which Haire admits that the Court has jurisdiction over him and the subject matter of this action, consents to entry of this Final Judgment, waives findings of fact and conclusions of law under Rule 52, Fed. R. Civ. P., and waives any right to appeal from this Final Judgment. Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiff's Motion to Approve Consent Judgment [D.E. 42] is **GRANTED** and judgment is entered against Haire as follows:

I. PERMANENT INJUNCTION¹

A. SECTION 17(a)(1) OF THE SECURITIES ACT OF 1933

Haire and his 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)(1) of the Securities Act of 1933 (the “Securities Act”), 15 U.S.C. § 77q(a)(1), by, in the offer or sale of any security, using any means or instruments of transportation or communication in interstate commerce or the mails, directly or indirectly, to employ any device, scheme, or artifice to defraud involving the payment of undisclosed compensation in the form of cash, stock, or any other item of value to any investment advisor, manager, or trustee, or to any person associated with such investment advisor, manager, or trustee; or the manipulation of the price or volume of any security.

B. SECTION 10(b) OF THE SECURITIES EXCHANGE ACT OF 1934

Haire and his 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

¹The Eleventh Circuit has held that injunctions merely requiring a party to “obey the law” fail to meet the specificity demanded by Rule 65(d), Fed. R. Civ. P. *See SEC v. Goble*, 682 F.3d 934, 949-50 (11th Cir. 2012). However, the Eleventh Circuit also recognized the need for “some breadth” in SEC enforcement actions and stated that “a broad, but properly drafted injunction, which largely used the statutory or regulatory language may satisfy the specificity requirement of Rule 65(d) so long as it clearly lets the defendant know what he is ordered to do or not do.” *Id.* at 952. Here, although the agreed injunction makes reference to statutory and regulatory language and citations, it also includes specific language detailing the conduct in which Haire is prohibited from engaging. Further, the fact that Haire has agreed and consented to the terms of the injunction mitigates any concern that Haire would be unaware of the conduct the injunction proscribes him from undertaking.

Exchange Act Rule 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c), 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 to employ any device, scheme, or artifice to defraud involving: the payment of undisclosed compensation in the form of cash, stock, or any other item of value to any investment advisor, manager, or trustee, or to any person associated with such investment advisor, manager, or trustee; or the manipulation of the price or volume of any security.

C. PENNY STOCK BAR

Haire 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 an equity security that has a price of less than five dollars, except as provided in Rule 3a51-1 of the Exchange Act, 17 C.F.R. 240.3a51-1.

D. OFFICER AND DIRECTOR BAR

Pursuant to Section 21(d)(2) of the Exchange Act, 15 U.S.C. § 78u(d)(2), and Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e), Haire is prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act, 15 U.S.C. § 78l, or that is required to file reports pursuant to Section 15(d) of the Exchange Act, 15 U.S.C. § 78o(d).

II. MONETARY RELIEF

Plaintiff's claims for disgorgement, prejudgment interest, and civil penalty against Haire are dismissed.

III. INCORPORATION OF HAIRE'S CONSENT


Haire's Consent [D.E. 42-1] is incorporated herein with the same force and effect as if fully set forth herein, and Haire shall comply with all of the undertakings and agreements set forth therein.

IV. RETENTION OF JURISDICTION

The Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

To the extent not otherwise disposed of, all pending motions are hereby **DENIED AS MOOT**. The Clerk is directed to **CLOSE** this matter.

DONE AND ORDERED in Fort Lauderdale, Florida, this 15th day of October 2013.



ROBIN S. ROSENBAUM
UNITED STATES DISTRICT JUDGE

copies to:

Counsel of record