

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 13-cv-61765-SCOLA/SELTZER

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
THOMAS GAFFNEY and)
HEALTH SCIENCES GROUP, INC.)
)
Defendants.)
_____)

**FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER RELIEF
AS TO DEFENDANT THOMAS GAFFNEY**

The Securities and Exchange Commission having filed a complaint, and Defendant Thomas Gaffney having: entered a general appearance; consented to the Court’s jurisdiction over him and the subject matter of this action; consented to entry of this Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

SECTION 17(a) OF THE SECURITIES ACT OF 1933

IT IS ORDERED AND ADJUDGED that Gaffney and his agents, servants, employees, attorneys, representatives, 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 which operates or would operate as a fraud or deceit upon the purchaser

by, directly or indirectly, (i) creating a false appearance or otherwise deceiving any person about the price or trading market for any security, or (ii) making any false or misleading statement, or disseminating any false or misleading documents, materials, or information, concerning matters relating to a decision by an investor or prospective investor to buy or sell securities of any company.

II.

**SECTION 10(b) OF THE SECURITIES
EXCHANGE ACT OF 1934 AND EXCHANGE ACT RULE 10b-5(a)**

IT IS FURTHER ORDERED AND ADJUDGED that Gaffney and his 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 (“Exchange Act”), 15 U.S.C. § 78j(b), and exchange act Rule 10b-5(a), 17 C.F.R. § 240.10b-5(a), 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, by, directly or indirectly, (i) creating a false appearance or otherwise deceiving any person about the price or

trading market for any security, or (ii) making any false or misleading statement, or disseminating any false or misleading documents, materials, or information, concerning matters relating to a decision by an investor or prospective investor to buy or sell securities of any company.

III.

PENNY STOCK BAR

IT IS FURTHER ORDERED AND ADJUDGED that Gaffney 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 3a51-1 under the Exchange Act, 17 C.F.R. § 240.3a51-1.

IV.

OFFICER AND DIRECTOR BAR

IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to Section 20(e) of the Securities Act, 15 U.S.C. § 77t(e), and Section 21(d)(2) of the Exchange Act, 15 U.S.C. § 78u(d)(2), Gaffney is permanently barred 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).

V.

INCORPORATION OF CONSENT

IT IS FURTHER ORDERED AND ADJUDGED that the Consent filed herewith is incorporated with the same force and effect as if fully set forth herein, and that Gaffney shall comply with all of the undertakings and agreements set forth therein.

VI.

RETENTION OF JURISDICTION

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

VII.

DISMISSAL OF CLAIMS FOR MONETARY RELIEF

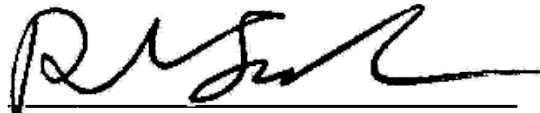
IT IS FURTHER ORDERED AND ADJUDGED that the Commission's claims for disgorgement, prejudgment interest and civil penalty against Gaffney are dismissed.

VIII.

RULE 54(b) CERTIFICATION

IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to Rule 54(b), Federal Rules of Civil Procedure, there is no just reason for delay, and the Clerk therefore is directed to enter this Final Judgment forthwith and without further notice.

DONE AND ORDERED in Chambers in Miami, Florida, this 19th day of November, 2013.



ROBERT N. SCOLA, Jr.
UNITED STATES DISTRICT JUDGE