

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

VS.

DAVID HOWARD WELCH,  
MARC JAY BRYANT,  
JOHN CHARLES KNIGHT,  
PERRY DOUGLAS WEST,  
BIO-GLOBAL RESOURCES, INC.,  
DIVERSIFIED EQUITIES, INC.,  
DIVERSIFIED EQUITIES  
DEVELOPMENT, INC.,  
and NEW GLOBAL ENERGY, INC.

## Defendants.

Case No. 5:17-cv-1968-JFW (AGRx)

Hon. John F. Walter

## **FINAL JUDGMENT AS TO PERRY DOUGLAS WEST**

This matter came before the Court on the Plaintiff Securities and Exchange Commission’s (“SEC” or “Commission”) unopposed motion for final judgment pursuant to Federal Rule of Civil Procedure 54(b) as to Defendant Perry Douglas West (“Defendant”). The Commission having filed a Complaint and Defendant having entered a general appearance; consented to the Court’s jurisdiction over him

1 and the subject matter of this action; consented to entry of this Final Judgment  
2 without admitting or denying the allegations of the Complaint (except as to  
3 jurisdiction and except as otherwise provided herein in paragraph V); waived findings  
4 of fact and conclusions of law; and waived any right to appeal from this Final  
5 Judgment:

6 **I.**

7 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that Defendant**  
8 **Perry Douglas West is permanently restrained and enjoined from violating Section 5**  
9 **of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77e] by, directly or**  
10 **indirectly, in the absence of any applicable exemption:**

11 (a) Unless a registration statement is in effect as to a security, making use of  
12 any means or instruments of transportation or communication in interstate commerce  
13 or of the mails to sell such security through the use or medium of any prospectus or  
14 otherwise;

15 (b) Unless a registration statement is in effect as to a security, carrying or  
16 causing to be carried through the mails or in interstate commerce, by any means or  
17 instruments of transportation, any such security for the purpose of sale or for delivery  
18 after sale; or

19 (c) Making use of any means or instruments of transportation or  
20 communication in interstate commerce or of the mails to offer to sell or offer to buy  
21 through the use or medium of any prospectus or otherwise any security, unless a  
22 registration statement has been filed with the Commission as to such security, or  
23 while the registration statement is the subject of a refusal order or stop order or (prior  
24 to the effective date of the registration statement) any public proceeding or  
25 examination under Section 8 of the Securities Act [15 U.S.C. § 77h].

26 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that, as**  
27 **provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also**

1 binds the following who receive actual notice of this Final Judgment by personal  
2 service or otherwise: (a) Defendant's officers, agents, servants, employees, and  
3 attorneys; and (b) other persons in active concert or participation with Defendant or  
4 with anyone described in (a).

5 **II.**

6 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
7 Defendant Perry Douglas West is barred from participating in an offering of penny  
8 stock, including engaging in activities with a broker, dealer, or issuer for purposes of  
9 issuing, trading, or inducing or attempting to induce the purchase or sale of any penny  
10 stock, with the right to apply for reentry after three years to the appropriate self-  
11 regulatory organization, or if there is none, to the Commission. A penny stock is any  
12 equity security that has a price of less than five dollars, except as provided in Rule  
13 3a51-1 under the Securities Exchange Act of 1934 ("Exchange Act") [17 C.F.R.  
14 240.3a51-1].

15 **III.**

16 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
17 Defendant Perry Douglas West shall pay \$30,000.00, pursuant to Section 20(d) of the  
18 Securities Act [17 U.S.C. § 77t(d)], to the SEC within 14 days after entry of this Final  
19 Judgment. Defendant may transmit payment electronically to the SEC, which will  
20 provide detailed ACH transfer/Fedwire instructions upon request. Payment may also  
21 be made directly from a bank account via Pay.gov through the SEC website at  
22 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified  
23 check, bank cashier's check, or United States postal money order payable to the  
24 Securities and Exchange Commission, which shall be delivered or mailed to:  
25

26 Enterprise Service Center  
27 Accounts Receivable Branch  
28 6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

1 and shall be accompanied by a letter identifying the case title, civil action number,  
2 and name of this Court, Perry Douglas West as the defendant in this action; and  
3 specifying that payment is made pursuant to this Final Judgment.

4 Defendant shall simultaneously transmit photocopies of evidence of payment  
5 and case identifying information to the Commission's counsel in this action. By  
6 making this payment, Defendant relinquishes all legal and equitable right, title, and  
7 interest in such funds and no part of the funds shall be returned to Defendant. The  
8 Commission shall send the funds pursuant to this Final Judgment to the United States  
9 Treasury.

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

15 **IV.**

16 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that  
17 Defendant Perry Douglas West's Consent is incorporated herein with the same force  
18 and effect as if fully set forth herein, and that he shall comply with all of the  
19 undertakings and agreements set forth therein, including, but not limited to, the  
20 undertakings to:

21 (a) Return to New Global Energy Inc. for cancellation 1,000,000 shares of  
22 New Global Energy Inc. common stock, with the agreement that the common shares  
23 will be returned to treasury stock of New Global Energy Inc. within 30 days of filing  
24 of the Consent;

25 (b) Cancel the May 2, 2016 Stock Option Agreement with New Global  
26 Energy Inc., which provided West with options to purchase 1,000,000 shares of New  
27 Global Energy Inc. at \$0.30 per share, with the agreement to cancel the Stock Option  
28

1 Agreement to be signed within 30 days of filing of the Consent;

2 (c) Enter into a written agreement with New Global Energy Inc. in which  
3 West waives \$400,292.00 in legal fees that the company owes to him for outstanding  
4 legal services, with the agreement waiving fees to be signed within 30 days of the  
5 filing of the Consent; and

6 (d) Certify, in writing, compliance with the undertaking(s) set forth above.  
7 The certification shall identify the undertaking(s), provide written evidence of  
8 compliance in the form of a narrative, and be supported by exhibits sufficient to  
9 demonstrate compliance. The Commission staff may make reasonable requests for  
10 further evidence of compliance, and Defendant agrees to provide such evidence.  
11 Defendant shall submit the certification and supporting material to Leslie J. Hughes,  
12 Securities and Exchange Commission, 1961 Stout Street Suite 1700, Denver,  
13 Colorado 80294, no later than sixty (60) days from the date of the completion of the  
14 undertakings.

15 **V.**

16 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that,  
17 solely for purposes of exceptions to discharge set forth in Section 523 of the  
18 Bankruptcy Code, 11 U.S.C. § 523, the allegations in the Complaint are true and  
19 admitted by Defendant Perry Douglas West, and further, any debt for disgorgement,  
20 prejudgment interest, civil penalty or other amounts due by Defendant West under  
21 this Final Judgment or any other judgment, order, consent order, decree or settlement  
22 agreement entered in connection with this proceeding, is a debt for the violation by  
23 Defendant Perry Douglas West of the federal securities laws or any regulation or  
24 order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy  
25 Code, 11 U.S.C. § 523(a)(19).

26 **VI.**

27 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that

1 this Court shall retain jurisdiction of this matter for purposes of enforcing the terms of  
2 this Judgment.

VII.

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 Judgment forthwith and without further notice.

Dated: 12/26/18

  
John F. Walter  
JOHN F. WALTER  
UNITED STATES DISTRICT JUDGE