

1 Amy J. Oliver (Admitted *pro hac vice*)
2 Laurie E. Abbott (Admitted *pro hac vice*)
3 Securities and Exchange Commission
4 351 South West Temple, Suite 6.100
5 Salt Lake City, UT 84101-1950
6 Tel.: (801) 524-5796
7 olivera@sec.gov
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9 *Attorneys for Plaintiff*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 **SECURITIES AND EXCHANGE**
10 **COMMISSION**

11 Plaintiff,
12 v.

13 ALEXANDER BEVIL, an individual;
14 RICHARD MCCALL BOHNSACK, an
15 individual; DANIEL THOMAS BROYLES, an
16 individual; CHARLES CARY DAVIS, an
17 individual; WILLIAM JAMES ROTH, an
individual; GLENN JOSEPH STORY, an
individual; and HAROLD WASSERMAN, an
individual,

18 **Defendants.**

Case No.: 2:19-cv-590-RFB-CWH

CONSENT OF DEFENDANT
GLENN JOSEPH STORY

20 1. Defendant Glenn Joseph Story ("Defendant") acknowledges having been served
21 with the complaint in this action, enters a general appearance, and admits the Court's jurisdiction
22 over Defendant and over the subject matter of this action.

23 2. Without admitting or denying the allegations of the complaint (except as provided
24 herein in paragraph 12 and except as to personal and subject matter jurisdiction, which
25 Defendant admits), Defendant hereby consents to the entry of the Judgment in the form attached
26 hereto (the "Judgment") and incorporated by reference herein, which, among other things:
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- 1 (a) permanently restrains and enjoins Defendant from violation of Sections 5
2 and 17(a) of the Securities Act [15 U.S.C §§ 77e and 77q], Sections 10(b)
3 and 15 of the Exchange Act [15 U.S.C. §§ 78j(b) and 78o], and Exchange
4 Act Rule 10b-5 [17 C.F.R. §240.10b-5];
- 5 (b) permanently and unconditionally restrains and enjoins, pursuant to Section
6 20(g)(1) of the Securities Act [15 U.S.C. § 77t(g)(1)] and Section
7 21(d)(6)(A) of the Exchange Act [15 U.S.C. § 78u(d)(6)(A)], Defendant
8 from participating in any offering of penny stock; and
- 9 (c) permanently restrains and enjoins Defendant from, directly or indirectly,
10 including, but not limited to, through any entity owned or controlled by him,
11 soliciting any person or entity to purchase or sell any security;
- 12 (d) orders Defendant to pay disgorgement in the amount of \$162,627.42, plus
13 prejudgment interest thereon in the amount of \$19,837.93; and
- 14 (e) orders Defendant to pay a civil penalty in the amount of \$70,000 pursuant
15 to Section 20(d) of the Securities Act [17 U.S.C. § 77t(d)] and Section
16 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)].

20 3. Defendant acknowledges that the civil penalty paid pursuant to the Final
21 Judgment may be distributed pursuant to the Fair Fund provisions of Section 308(a) of the
22 Sarbanes-Oxley Act of 2002. Regardless of whether any such Fair Fund distribution is made, the
23 civil penalty shall be treated as a penalty paid to the government for all purposes, including all
24 tax purposes. To preserve the deterrent effect of the civil penalty, Defendant agrees that he shall
25 not, after offset or reduction of any award of compensatory damages in any Related Investor
26 Action based on Defendant's payment of disgorgement in this action, argue that he is entitled to,
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1 nor shall he further benefit by, offset or reduction of such compensatory damages award by the
2 amount of any part of Defendant's payment of a civil penalty in this action ("Penalty Offset"). If
3 the court in any Related Investor Action grants such a Penalty Offset, Defendant agrees that he
4 shall, within 30 days after entry of a final order granting the Penalty Offset, notify the
5 Commission's counsel in this action and pay the amount of the Penalty Offset to the United
6 States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be
7 deemed an additional civil penalty and shall not be deemed to change the amount of the civil
8 penalty imposed in this action. For purposes of this paragraph, a "Related Investor Action"
9 means a private damages action brought against Defendant by or on behalf of one or more
10 investors based on substantially the same facts as alleged in the Complaint in this action.
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12 4. Defendant agrees that he shall not seek or accept, directly or indirectly,
13 reimbursement or indemnification from any source, including but not limited to payment made
14 pursuant to any insurance policy, with regard to any civil penalty amounts that Defendant pays
15 pursuant to the Final Judgment, regardless of whether such penalty amounts or any part thereof
16 are added to a distribution fund or otherwise used for the benefit of investors. Defendant further
17 agrees that he shall not claim, assert, or apply for a tax deduction or tax credit with regard to any
18 federal, state, or local tax for any penalty amounts that Defendant pays pursuant to the Final
19 Judgment, regardless of whether such penalty amounts or any part thereof are added to a
20 distribution fund or otherwise used for the benefit of investors.
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22 5. Defendant waives the entry of findings of fact and conclusions of law pursuant to
23 Rule 52 of the Federal Rules of Civil Procedure.
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25 6. Defendant waives the right, if any, to a jury trial and to appeal from the entry of
26 the Judgment.
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1 7. Defendant enters into this Consent voluntarily and represents that no threats,
2 offers, promises, or inducements of any kind have been made by the Commission or any
3 member, officer, employee, agent, or representative of the Commission to induce Defendant to
4 enter into this Consent.

5 8. Defendant agrees that this Consent shall be incorporated into the Judgment with
6 the same force and effect as if fully set forth therein.

7 9. Defendant will not oppose the enforcement of the Judgment on the ground, if any
8 exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby
9 waives any objection based thereon.

10 10. Defendant waives service of the Judgment and agrees that entry of the Judgment
11 by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms
12 and conditions. Defendant further agrees to provide counsel for the Commission, within thirty
13 days after the Judgment is filed with the Clerk of the Court, with an affidavit or declaration
14 stating that Defendant has received and read a copy of the Judgment.

15 11. Consistent with 17 C.F.R. 202.5(f), this Consent resolves only the claims asserted
16 against Defendant in this civil proceeding. **Defendant acknowledges that no promise or**
17 **representation has been made by the Commission or any member, officer, employee, agent,**
18 **or representative of the Commission with regard to any criminal liability that may have**
19 **arisen or may arise from the facts underlying this action or immunity from any such**
20 **criminal liability.** Defendant waives any claim of Double Jeopardy based upon the settlement
21 of this proceeding, including the imposition of any remedy or civil penalty herein. Defendant
22 further acknowledges that the Court's entry of a permanent injunction may have collateral
23 consequences under federal or state law and the rules and regulations of self-regulatory
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1 organizations, licensing boards, and other regulatory organizations. Such collateral
2 consequences include, but are not limited to, a statutory disqualification with respect to
3 membership or participation in, or association with a member of, a self-regulatory organization.
4 This statutory disqualification has consequences that are separate from any sanction imposed in
5 an administrative proceeding. In addition, in any disciplinary proceeding before the Commission
6 based on the entry of the injunction in this action, Defendant understands that he shall not be
7 permitted to contest the factual allegations of the complaint in this action.

9 12. Defendant understands and agrees to comply with the terms of 17 C.F.R.
10 § 202.5(e), which provides in part that it is the Commission's policy "not to permit a defendant or
11 respondent to consent to a judgment or order that imposes a sanction while denying the
12 allegations in the complaint or order for proceedings," and "a refusal to admit the allegations is
13 equivalent to a denial, unless the defendant or respondent states that he neither admits nor denies
14 the allegations." As part of Defendant's agreement to comply with the terms of Section 202.5(e),
15 Defendant: (i) will not take any action or make or permit to be made any public statement
16 denying, directly or indirectly, any allegation in the complaint or creating the impression that the
17 complaint is without factual basis; (ii) will not make or permit to be made any public statement
18 to the effect that Defendant does not admit the allegations of the complaint, or that this Consent
19 contains no admission of the allegations, without also stating that Defendant does not deny the
20 allegations; (iii) upon the filing of this Consent, Defendant hereby withdraws any papers filed in
21 this action to the extent that they deny any allegation in the complaint; and (iv) stipulates solely
22 for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11
23 U.S.C. §523, that the allegations in the complaint are true, and further, that any debt for
24 disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under the
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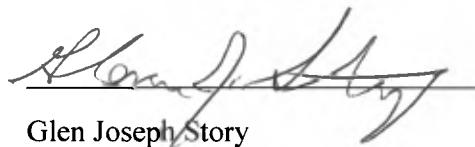
1 Judgment or any other judgment, order, consent order, decree or settlement agreement entered in
2 connection with this proceeding, is a debt for the violation by Defendant of the federal securities
3 laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the
4 Bankruptcy Code, 11 U.S.C. §523(a)(19). If Defendant breaches this agreement, the
5 Commission may petition the Court to vacate the Judgment and restore this action to its active
6 docket. Nothing in this paragraph affects Defendant's: (i) testimonial obligations; or (ii) right to
7 take legal or factual positions in litigation or other legal proceedings in which the Commission is
8 not a party.

10 13. Defendant hereby waives any rights under the Equal Access to Justice Act, the
11 Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to
12 seek from the United States, or any agency, or any official of the United States acting in his or
13 her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees,
14 expenses, or costs expended by Defendant to defend against this action. For these purposes,
15 Defendant agrees that Defendant is not the prevailing party in this action since the parties have
16 reached a good faith settlement.

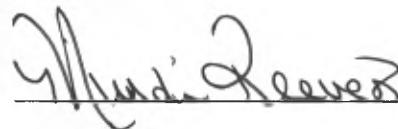
19 14. Defendant agrees that the Commission may present the Judgment to the Court for
20 signature and entry without further notice.

21 15. Defendant agrees that this Court shall retain jurisdiction over this matter for the
22 purpose of enforcing the terms of the Judgment.

24 25 Dated: 12/13/19


26 Glen Joseph Story

1 On December 13, 2019, Glen J Story, a person known to me,
2 personally appeared before me and acknowledged executing the foregoing Consent.

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5 Notary Public

6 Commission expires: 6/12/2021



1 Amy J. Oliver (Admitted *pro hac vice*)
2 Laurie E. Abbott (Admitted *pro hac vice*)
3 Securities and Exchange Commission
4 351 South West Temple, Suite 6.100
5 Salt Lake City, UT 84101-1950
6 Tel.: (801) 524-5796
7 olivera@sec.gov
8 abbottla@sec.gov
9 Attorneys for Plaintiff

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 SECURITIES AND EXCHANGE
10 COMMISSION

Case No.: 2:19-cv-590-RFB-CWH

11 Plaintiff,

12 v.

JUDGMENT AS TO DEFENDANT
GLENN JOSEPH STORY

13 ALEXANDER BEVIL, an individual;
14 RICHARD MCCALL BOHNSACK, an
15 individual; DANIEL THOMAS BROYLES, an
16 individual; CHARLES CARY DAVIS, an
17 individual; WILLIAM JAMES ROTH, an
individual; GLENN JOSEPH STORY, an
individual; and HAROLD WASSERMAN, an
individual,

18 Defendants.

20
21 The Securities and Exchange Commission having filed a Complaint, and Defendant
22 Glenn Joseph Story (“Defendant”) having entered a general appearance; consented to the Court’s
23 jurisdiction over him and the subject matter of this action; consented to entry of this Judgment
24 without admitting or denying the allegations of the Complaint (except as to jurisdiction and
25 except as otherwise provided herein in paragraph VIII); waived findings of fact and conclusions
26 of law; and waived any right to appeal from this Judgment:
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I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 15(a)(1) of the Exchange Act [15 U.S.C. § 78o(a)(1)] by making use of the mails or any means or instrumentality of interstate commerce to effect transactions in or induce or attempt to induce the purchase or sale of securities while they, or anyone hired by them to effect transactions in or induce or attempt to induce the purchase or sale of securities, are not registered with the Commission as a broker or dealer or while they, or anyone hired by them to effect transactions in or induce or attempt to induce the purchase or sale of securities, are not associated with an entity registered with the Commission as a broker or dealer.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) the officers, agents, servants, employees, and attorneys of the Defendant; and (b) other persons in active concert or participation with the Defendant or with anyone described in (a).

II.

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

(a) unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate

1 commerce or of the mails to sell such security through the use or medium
2 of any prospectus or otherwise;

3 (b) unless a registration statement is in effect as to a security, carrying or
4 causing to be carried through the mails or in interstate commerce, by any
5 means or instruments of transportation, any such security for the purpose
6 of sale or for delivery after sale, or;

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

16
17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
18 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who
19 receive actual notice of this Judgment by personal service or otherwise: (a) the officers, agents,
20 servants, employees, and attorneys of the Defendant; and (b) other persons in active concert or
21 participation with the Defendant or with anyone described in (a).

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23 III.

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25 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
26 is permanently restrained and enjoined from violating Section 17(a)(2) of the Securities Act [15
27 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of
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1 transportation or communication in interstate commerce or by use of the mails, directly or
2 indirectly, to obtain money or property by means of any untrue statement of a material fact or
3 any omission of a material fact necessary in order to make the statements made, in light of the
4 circumstances under which they were made, not misleading.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
6 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who
7 receive actual notice of this Judgment by personal service or otherwise: (a) the officers, agents,
8 servants, employees, and attorneys of Defendant; and (b) other persons in active concert or
9 participation with Defendant or with anyone described in (a).

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11 IV.

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
13 permanently restrained and enjoined from directly or indirectly, including, but not limited to,
14 through any entity owned or controlled by any of them soliciting any person or entity to purchase
15 or sell any security.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
17 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who
18 receive actual notice of this Judgment by personal service or otherwise: (a) the officers, agents,
19 servants, employees, and attorneys the Defendant and (b) other persons in active concert or
20 participation with the Defendant or with anyone described in (a).

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22 V.

23 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
24 is permanently barred from participating in an offering of penny stock, including engaging in
25 activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or
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1 attempting to induce the purchase or sale of any penny stock. A penny stock being any equity
2 security that has a price of less than five dollars, except as provided in Exchange Act Rule 3a51-
3 1 [17 C.F.R. § 240.3a51-1].

4 VI.

5 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that:

6 (a) Defendant is liable for disgorgement of \$162,627.42, representing profits gained as a
7 result of the conduct alleged in the Complaint, together with prejudgment interest
8 thereon in the amount of \$19,837.93.

9 (b) Defendant is liable for a civil penalty in the amount of \$70,000 pursuant to Section
10 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange
11 Act [15 U.S.C. § 78u(d)(3)].

12 Defendant shall satisfy his obligation by paying \$252,465.35, as set forth above, to the
13 Securities and Exchange Commission within 14 days after entry of this Judgment.

14 Defendant may transmit payment electronically to the Commission, which will provide
15 detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly
16 from a bank account via Pay.gov through the SEC website at
17 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank
18 cashier's check, or United States postal money order payable to the Securities and Exchange
19 Commission, which shall be delivered or mailed to
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24 Enterprise Services Center
25 Accounts Receivable Branch
26 6500 South MacArthur Boulevard
27 Oklahoma City, OK 73169
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1 and shall be accompanied by a letter identifying the case title, civil action number, and name of
2 this Court; the Defendant's name, as identified a defendant in this action; and specifying that
3 payment is made pursuant to this Judgment.

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

9 The Commission may enforce the Court's judgment for disgorgement and prejudgment
10 interest by moving for civil contempt (and/or through other collection procedures authorized by
11 law) at any time after 14 days following entry of this Judgment. Defendant shall pay post
12 judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission
13 shall hold the funds, together with any interest and income earned thereon (collectively, the
14 "Fund"), pending further order of the Court.

16 The Commission may propose a plan to distribute the Fund subject to the Court's
17 approval. Such a plan may provide that the Fund shall be distributed pursuant to the Fair Fund
18 provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. The Court shall retain
19 jurisdiction over the administration of any distribution of the Fund. If the Commission staff
20 determines that the Fund will not be distributed, the Commission shall send the funds paid
21 pursuant to this Judgment to the United States Treasury.

23 Regardless of whether any such Fair Fund distribution is made, amounts ordered to be
24 paid as civil penalties pursuant to this Judgment shall be treated as penalties paid to the
25 government for all purposes, including all tax purposes. To preserve the deterrent effect of the
26 civil penalty, Defendant shall not, after offset or reduction of any award of compensatory
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damages in any Related Investor Action based on Defendant’s payment of disgorgement in this action, argue that they are entitled to, nor shall they further benefit by, offset or reduction of such compensatory damages award by the amount of any part of any of the Defendant’s payment of a civil penalty in this action (“Penalty Offset”). If the court in any Related Investor Action grants such a Penalty Offset, Defendant shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission’s counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Judgment. For purposes of this paragraph, a “Related Investor Action” means a private damages action brought against the Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

VII.

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

VIII.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code [11 U.S.C. § 523], the allegations in the complaint are true and admitted by Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the federal securities

1 laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the
2 Bankruptcy Code [11 U.S.C. § 523(a)(19)].

3 IX.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain
5 jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.
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7 X.

8 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil
9 Procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.
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11 Dated: January 31, 2020.

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13 RICHARD F. BOULWARE, II
14 UNITED STATES DISTRICT JUDGE

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DATED this