



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

**CASE NO. 01-7834-CIV-JORDAN
Magistrate Judge Bandstra**

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
)
v.)
)
WORLD CLASS LIMOUSINES, INC.,)
1-800-GET-LIMO, INC., and)
ANTHONY P. CALIENDO, Jr.,)
)
Defendants.)
)

**CLOSED
CIVIL
CASE**

**FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER
RELIEF AS TO DEFENDANT ANTHONY P. CALIENDO, JR.**

Plaintiff Securities and Exchange Commission ("SEC" or "Commission") commenced this action by filing its Complaint against, among others, Defendant Anthony P. Caliendo, Jr. ("Caliendo"). In its Complaint, the Commission sought a temporary restraining order, and preliminary and permanent injunctions to prohibit violations by Caliendo of Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933 ("Securities Act"), Sections 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), and Rule 10b-5, thereunder. The Commission also sought other relief against Defendants in the form of accountings, disgorgement, records preservation, expedited discovery, an order temporarily freezing assets and an order imposing civil penalties.

On December 6, 2001, this Court entered a Temporary Restraining Order, which temporarily restrained and enjoined Caliendo from violations of the above-mentioned provisions of the federal securities laws; temporarily froze Defendants' assets; granted

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the Commission an accounting, expedited discovery, and prohibited the concealing or destruction of the Defendants books, records and other documents. On December 12, 2001, this Court entered a preliminary injunction against Caliendo, pursuant to a Stipulated Order of Preliminary Injunction and Other Relief, which kept in force the relief granted on December 6, 2001.

Caliendo, by the Consent affixed hereto, without admitting or denying any of the allegations in the Commission's Complaint or any other paper filed herein, except as to the jurisdiction of this Court, has agreed to the entry of this Final Judgment of Permanent Injunction and Other Relief. This Court having accepted such Consent and this Court having jurisdiction over the Defendants, and the subject matter hereof, and the Court being fully advised in the premises,

I.

**VIOLATION OF SECTIONS 5(a)
AND 5(c) OF THE SECURITIES ACT AS TO CALIENDO**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Caliendo, his officers, agents, servants, employees, representatives, and all persons in active concert or participation with him, and each of them, directly or indirectly, who receive actual notice of this Final Judgment of Permanent Injunction, by personal service or otherwise, be and they hereby are permanently restrained and enjoined from, directly or indirectly:

- (a) making use of the means or instruments of transportation or communication in interstate commerce or of the mails to sell any security, in the form of units, common stock, warrants or any other security, through the use or medium of any prospectus or otherwise, unless and until a registration statement is in effect with the Commission as to such security;

- (b) carrying or causing to be carried through the mails or in interstate commerce, by means or instruments of transportation, any security, in the form of units, common stock, warrants or any other security, for the purpose of sale or delivery after sale, unless and until a registration statement is in effect with the Commission as to such security; or
- (c) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy any security, in the form of units, common stock, warrants or any other security, through the use or medium of any prospectus or otherwise, unless and until a registration statement is filed with the Commission as to such security, or while a registration statement filed with the Commission as to such security is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act, 15 U.S.C. § 77h,

in violation of Sections 5(a) and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c).

II.

FRAUD IN VIOLATION OF SECTION 17(a) OF THE SECURITIES ACT AS TO CALIENDO

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Caliendo, his officers, agents, servants, employees, representatives, and all persons in active concert or participation with him, and each of them, directly or indirectly, who receive actual notice of this Final Judgment of Permanent Injunction, by personal service or otherwise, be and they hereby are, permanently restrained and enjoined from, directly or indirectly, singly or in concert, as aiders and abettors or otherwise, 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:

- (a) knowingly employing any device, scheme or artifice to defraud;
- (b) obtaining money or property by means of any untrue statement of material fact or omission to state any material fact necessary in order to make the statement made, in light of the circumstances under which it was made, not misleading; or
- (c) engaging in any transaction, practice or course of business which operates or would operate as a fraud or deceit upon purchasers or prospective purchasers of any such security,

in violation of Sections 17(a)(1), 17(a)(2) and 17(a)(3) of the Securities Act, 15 U.S.C. §§ 77q(a)(1), 77q(a)(2) and 77q(a)(3).

III.

FRAUD IN VIOLATION OF SECTION 10(b) OF THE EXCHANGE ACT AND RULE 10b-5 THEREUNDER AS TO CALIENDO

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Caliendo, his officers, agents, servants, employees, representatives, and all persons in active concert or participation with him, and each of them, directly or indirectly, who receive actual notice of this Final Judgment of Permanent Injunction, by personal service or otherwise, be and they hereby are, permanently restrained and enjoined from, knowingly and willfully, directly or indirectly, singly or in concert, as aiders and abettors or otherwise, in connection with the purchase or sale of any security, by the use of any means or instrumentality of interstate commerce or of the mails, or of any facility of any national securities exchange:

- (a) employing any device, scheme or artifice to defraud;

- (b) making any untrue statements of material fact or omitting to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person,

in violation of Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5, thereunder.

IV.

DISGORGEMENT AS TO CALIENDO

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Caliendo shall disgorge an amount to be set by the Court, without evidentiary hearing, upon the Commission's motion and after Caliendo's response to the Commission's motion.

V.

PENALTIES AS TO CALIENDO

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Caliendo shall pay civil penalties or other relief to be determined by the Court at a later date after the submission of a recommendation as to the amount of penalties by the Commission and the submission of a response by Caliendo.

VI.

INCORPORATION OF CONSENT

IT IS HEREBY FURTHER ORDERED that Defendant Caliendo shall comply with the provisions of the Consent attached hereto, and that such Consent is incorporated herein by reference as if fully set forth herein.

VII.

RETENTION OF JURISDICTION

IT IS FURTHER HEREBY ORDERED that this Court will retain jurisdiction over this matter and Defendant in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstances. *

DONE AND ORDERED at 9:15 o'clock a.m, this 18th day of April, 2002 at Miami, Florida.

gja

Adalberto Jordan

**ADALBERTO JORDAN
UNITED STATES DISTRICT JUDGE**

Copies to:

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* The Court specifically retains jurisdiction over any matters raised by the receiver. Should the receiver believe 6 that the case needs to be reopened so that he can take the action he believes is appropriate, he can file a motion to reopen. *gja*

February 11, 2002

NOTICE TO ATTORNEYS AND LITIGANTS

Please be advised that effective February 25, 2002, the chambers of Judge Jordan will fully implement and utilize the Court's FAXBACK program. The Clerk's office will fax orders, notices and judgments to all counsel of record and pro se parties who have provided their fax number to the Court. In the event a party does not have a fax machine, the Clerk's office will send the orders, etc. via U.S. Mail. If you have a fax machine but have not been receiving your orders by fax, please complete the response form provided by the Clerk's office and fax the form to the Clerk's office at 305.523.5226. The FAXBACK program eliminates the need to submit stamped, self-addressed envelopes.

All filings as of February 25, 2002 must include a current service list on a separate page with the following information for each party.

Name of Attorney or *Pro Se* party

Firm Name

Mailing Address

Phone Number

Fax Number

Counsel for _____

For more information, please call 305.523.5212.