

ORIGINAL

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

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U.S.D.C. - Atlanta

AUG 19 2002

CASE NO. 02-1434-CV-CAP

SECURITIES AND EXCHANGE COMMISSION,)

Plaintiff,)

v.)

**GOLD-VENTURES CLUB, and)
ALEXANDER KHAMIDOUINE,)
d/b/a www.gold-ventures.net)**

Defendants.)

LUTHER D. THOMAS, Clerk
By:

EP Moore Deputy Clerk

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LUTHER D. THOMAS, Clerk
By: *AM Carter*

**DEFAULT JUDGMENT OF PERMANENT INJUNCTION AND
OTHER RELIEF AGAINST DEFENDANTS GOLD-VENTURES
CLUB AND ALEXANDER KHAMIDOUINE**

THIS MATTER is before the Court on Plaintiff Securities and Exchange Commission's ("SEC") Motion for Entry of Default Judgment of Permanent Injunction and Other Relief against Defendants Gold-Ventures Club and Alexander Khamidouline ("Defendants"). Having considered the motion and the entire record, the Court hereby enters Final Judgment in this cause.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Court has personal jurisdiction over the Defendants and the subject matter of the action. Venue is proper in the Northern District of Georgia.

2. The Defendants were properly served with a summons and a copy of the Complaint by email as authorized by the Court pursuant to Rules 4(h)(2) and 4(f)(3) of the Federal Rules of Civil Procedure. Thus, the Defendants have proper notice of this action.

3. As of the date of this Judgment, the Defendants have failed to answer or otherwise file a responsive pleading to the Complaint as required by the Federal Rules of Civil Procedure.

4. The Court entered a default against the Defendants on Aug 19, 2002, 2002. By virtue of the default and their failure to respond to the Complaint, the Defendants are deemed to have admitted the allegations of the Complaint and liability is established against them. *Buchanan v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987); *Miller v. Paradise of Port Richey, Inc.*, 75 F. Supp. 2d 1342, 1346 (M.D. Fla. 1999). Accordingly, the Court finds the Defendants committed the violations alleged in the Complaint.

5. The Defendants are not infants or incompetent persons and have no guardian, committee, conservator or other such persons appearing on their behalf. Accordingly,

I. JUDGMENT ENTERED

IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiff's Motion for Entry of Default Judgment of Permanent Injunction and other

Relief against Defendants Gold-Ventures Club and Alexander Khamidouline is **GRANTED**, and Judgment is hereby entered against Defendants Gold-Ventures Club and Alexander Khamidouline.

II. PERMANENT INJUNCTION

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendants, their directors, officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with them, are restrained and enjoined from:

A. Section 5 of the Securities Act of 1933

Directly or indirectly: (a) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell securities in the form of units, common stock, warrants or any other securities *through the use or medium of any prospectus or otherwise*, unless and until a registration statement is in effect with the SEC as to such securities; (b) carrying securities, in the form of units, common stock, warrants or any other securities or causing them to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or for delivery after sale, unless and until a registration statement is in effect with the SEC as to such securities; 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, through the use or medium of any prospectus or otherwise, any securities, in the form of units, common stock, warrants or any other securities unless a registration statement is filed with the SEC as to such securities, or while a registration statement filed with the SEC 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 of 1933 ("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); or

B. Section 17(a)(1) of the Securities Act of 1933

Directly or indirectly, by use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, in the offer or sale of securities, knowingly or recklessly employing devices, schemes or artifices to defraud, in violation of Section 17(a), of the Securities Act of 1933 ("Securities Act"), 15 U.S.C. § 77q(a); or

C. Section 17(a)(2) & (3) of the Securities Act of 1933

Directly or indirectly, by use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, in the offer or sale of securities: (i) obtaining money or property by

means of untrue statements of material facts or omissions to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading; or (ii) engaging in acts, practices and courses of business which have operated and will operate as a fraud or deceit upon purchasers and prospective purchasers of such securities, in violation of Sections 17(a)(2) & (3) of the Securities Act, 15 U.S.C. §§ 77(q)(a)(2) & (3); or

D. Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5

Directly or indirectly, by use of 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 securities, knowingly or recklessly: (i) employing devices, schemes or artifices to defraud; (ii) making untrue statements of material facts and omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or (iii) engaging in acts, practices and courses of business which have operated, are now operating or will operate as a fraud upon the purchasers of such securities in violation of Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5 thereunder.

III. DISGORGEMENT

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall pay disgorgement representing their gains from the conduct alleged in the Complaint, plus pre-judgment interest. The Court shall determine the amount of disgorgement upon the SEC's motion to set disgorgement and its submission of supporting evidence.

IV. CIVIL MONEY PENALTIES

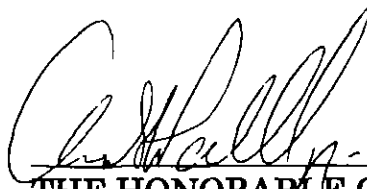
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendants shall pay a civil money penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d) and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3) based upon the conduct alleged in the Complaint. The Court shall determine the amount of the civil penalty upon the SEC's motion to set same.

V. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this matter and the Defendants 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the SEC shall file its motion to set disgorgement and civil penalties, if any, within forty-five (45) days of the date of this Order.

DONE AND ORDERED this 8th day of January, ~~2002~~²⁰⁰³ at Atlanta, Georgia.



THE HONORABLE CHARLES A. PANNELL
UNITED STATES DISTRICT JUDGE

Copies to:

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