

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 11-cv-3656 (JNE/JJK)
	:	
GARY A. COLLYARD, COLLYARD GROUP, LLC, PAUL D. CRAWFORD, CRAWFORD CAPITAL CORP., RONALD MUSICH, JOSHUA J. SINGER, MICHAEL B. SPADINO, MARKETING CONCEPTS, INC., AND CHRISTOPHER C. WEIDES,	:	
	:	
	:	
Defendants.	:	
	:	

**JUDGMENT AND ORDER OF PERMANENT INJUNCTION
AND OTHER RELIEF AS TO DEFENDANT CHRISTOPHER C. WEIDES**

Plaintiff U.S. Securities and Exchange Commission (“SEC” or “Commission”) filed a complaint in this matter, and Defendant Christopher C. Weides (“Defendant”) has, in his Consent hereto and incorporated herein (attached as Exhibit A), acknowledged receipt of the complaint and admitted the personal jurisdiction of the Court over him and over the subject matter thereof and, without trial, argument or adjudication of any facts or law herein, consented to the entry of this Judgment and Order of Permanent Injunction and Other Relief (“Judgment”), without admitting or denying the allegations of the complaint (except as to jurisdiction). The SEC and Defendant have waived the entry of findings of fact and conclusions of law, as provided by Rule 52 of the Federal Rules of Civil Procedure, and Defendant has waived any

right to appeal from this Judgment. The Court having jurisdiction over the parties and the subject matter hereof, and being fully advised in the premises, hereby states:

I.

IT IS ORDERED, ADJUDGED, AND DECREED that Defendant and all officers, agents, servants, employees, attorneys, and all persons in active concert or participation with him who receive actual notice of this Judgment by personal service or otherwise, are permanently restrained and enjoined from violating Section 15(a) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78o(a)] by making use of the mails or any means or instrumentality of interstate commerce to effect any transactions in, or to induce or attempt to induce the purchase or sale of, any security (other than an exempted security or commercial paper, bankers’ acceptances, or commercial bills) without being registered in accordance with Section 15(b) of the Exchange Act [15 U.S.C. § 78o(b)].

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$177,000, representing profits gained as a result of the conduct alleged in the complaint, plus prejudgment interest of \$71,752.17. The Court will set the specific amounts of disgorgement and prejudgment interest to be paid, if any, and will also determine whether to impose civil penalties pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)], and in what amounts, at a separate hearing upon due notice and motion by the SEC. At that hearing, the issues will be limited to determining: (a) the amount of disgorgement and prejudgment interest, if any, to be ordered; and (b) whether civil penalties should be imposed on Defendant, and the amounts of any such penalties. At that hearing, Defendant will be precluded from arguing that he gained less than \$177,000 as a result of the conduct alleged in the

complaint, and that he did not violate the securities laws as alleged in the SEC's complaint, but will not be precluded from presenting evidence as to the amount of disgorgement and prejudgment interest to be ordered by the Court, and whether and what civil penalties are appropriate. Nothing herein affects Defendant's: (a) testimonial obligations; or (b) right to take legal or factual positions in litigation or other legal proceedings in which the SEC is not a party.

III.

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

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the SEC is expressly authorized to engage in continued discovery regarding any unresolved issue in this case with respect to Defendant, including, but not limited to, discovery for the purposes of determining the amount of ill-gotten gains and civil penalties, if any.

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court shall retain jurisdiction of this matter for all purposes, including, but not limited to, enforcement of the terms of this Judgment.

VI.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is hereby directed to enter this Judgment forthwith and without further notice.

SO ORDERED:

s/Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge

Dated: April 7, 2015

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

Civ. Act. No. 11-cv-3656 (JNE/JJK)

GARY A. COLLYARD, COLLYARD
GROUP, LLC, PAUL D. CRAWFORD,
CRAWFORD CAPITAL CORP., RONALD
MUSICH, JOSHUA J. SINGER, MICHAEL
B. SPADINO, MARKETING CONCEPTS,
INC., AND CHRISTOPHER C. WEIDES,

Defendants.

CONSENT OF DEFENDANT CHRISTOPHER C. WEIDES

1. Defendant Christopher C. Weides (“Defendant”) acknowledges having been served with the complaint in this action and admits the Court’s jurisdiction over Defendant and over the subject matter of this action.

2. Without admitting or denying the allegations of the complaint (except as to personal and subject matter jurisdiction, which Defendant admits), Defendant hereby consents to the entry, as to Defendant, of the Judgment and Order of Permanent Injunction and Other Relief (“Judgment”) in the form attached hereto and incorporated by reference herein, which, among other things, permanently restrains and enjoins Defendant from violations of Section 15(a) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78o(a)].

3. Defendant agrees that he is liable for disgorgement of \$177,000, representing profits gained as a result of the conduct alleged in the complaint, and prejudgment interest thereon of \$71,752.17; that the amounts ordered to be paid by the Defendant, if any, shall be determined by the Court upon motion of Plaintiff Securities and Exchange Commission (“SEC”); and that prejudgment interest, if any, shall be calculated from the date of the receipt of any profits gained, based on the rate of interest used by the Internal Revenue Service for the underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). Defendant further agrees that, upon motion of the SEC, the Court shall determine whether a civil penalty shall be imposed pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)] and, if so, the amount of the penalty.

4. Defendant further agrees that in connection with the SEC’s motion for disgorgement, prejudgment interest, and/or civil penalties: (a) Defendant will be precluded from arguing that he is liable for less than \$177,000 of disgorgement as a result of the conduct alleged in the complaint, plus prejudgment interest of \$71,752.17; (b) Defendant will be precluded from arguing that he did not violate the federal securities laws as alleged in the complaint; (c) Defendant may not challenge the validity of this Consent or the Judgment; (d) solely for the purposes of such motion, the allegations of the complaint shall be accepted and deemed true by the Court; and (e) the Court may determine the issues raised in the motion based solely on briefing, including on the basis of affidavits, declarations, excerpts of sworn deposition or investigative testimony, and documentary evidence, without regard to the standards for summary judgment contained

in Rule 56(c) of the Federal Rules of Civil Procedure. Defendant further asserts the Fifth Amendment privilege against self-incrimination as to any and all questions that could be propounded to him regarding his financial condition.

5. Defendant waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure.

6. Defendant waives the right, if any, to a jury trial and to appeal from the entry of the Judgment.

7. Defendant enters voluntarily into this Consent and represents that no threats, offers, promises, or inducements of any kind have been made by the SEC or any member, officer, employee, agent or representative of the SEC to induce Defendant to enter into this Consent.

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

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

10. Defendant waives service of the Judgment and agrees that entry of the Judgment by the Court and filing with the Clerk of the Court will constitute notice to Defendant of its terms and conditions. Defendant further agrees to provide counsel for the SEC, within five (5) days after the Judgment is filed with the Clerk of the Court, with an affidavit or declaration stating that Defendant has received and read a copy of the Judgment.

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

12. Defendant understands and agrees to comply with the terms of 17 C.F.R. § 202.5(e), which provides in part that it is the SEC's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings," and "a refusal to admit the allegations is equivalent to a denial, unless the defendant or respondent states that he

neither admits nor denies the allegations.” As part of Defendant’s agreement to comply with the terms of Section 202.5(e), Defendant: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; (ii) will not make or permit to be made any public statement to the effect that Defendant does not admit the allegations of the complaint, or that this Consent contains no admission of the allegations, without also stating that Defendant does not deny the allegations; (iii) upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint; and (iv) stipulates solely for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, that the allegations in the complaint are true, and further, that any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under the 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 laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19). If Defendant breaches this agreement, the SEC may petition the Court to vacate the Judgment and restore this action to its active docket. Nothing in this paragraph affects Defendant’s: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which the SEC is not a party.

13. Defendant hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision

of law to pursue reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant to defend against this action. For these purposes, Defendant agrees that Defendant is not the prevailing party in this action since the parties have reached a good faith settlement.

14. Defendant understands that the terms of the Judgment are enforceable through contempt proceedings, and that, in any such proceedings, he may not challenge the validity of this Consent or the Judgment.

15. Defendant agrees that the SEC may present the Judgment to the Court for signature and entry without further notice.

16. Defendant agrees that the Court shall retain jurisdiction over this matter for all purposes.

Christopher C. Weides
Christopher C. Weides

Dated: 3-23, 2015

Approved as to form:

J. Mathis 03-23-2015
Notary Hennepin County

Piper Kenney
Piper Kenney, Esq.

