

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

CASE NO.: 12-61074-CIV--RSR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**KEVIN P. BRENNAN, DONALD G. HUGGINS,
MARC S. PAGE, and OPTIMIZED
TRANSPORTATION MANAGEMENT, INC.**

Defendants.

**JUDGMENT OF PERMANENT INJUNCTION
AND OTHER RELIEF AS TO DEFENDANT DONALD G. HUGGINS**

The Securities and Exchange Commission having filed a Complaint, and Donald G. Huggins: having consented to the Court's jurisdiction over him and the subject matter of this action; consented to entry of this Judgment of Permanent Injunction and Other Relief (the "Judgment"); waived findings of fact and conclusions of law; and waived any right to appeal from this Judgment:

I.

SECTION 17(a)(1) OF THE SECURITIES ACT OF 1933

IT IS ORDERED AND ADJUDGED that Huggins and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating Section 17(a)(1) of the Securities Act, 15 U.S.C. § 77q(a)(1), by, in the offer or sale of any security, using any means or instruments of transportation or communication in interstate commerce or the mails, directly or indirectly, to employ any device, scheme, or artifice to

defraud involving the payment of undisclosed compensation in the form of cash, stock, or any other item of value to any investment advisor, manager, or trustee, or to any person associated with such investment advisor, manager, or trustee, or the manipulation of the price or volume of any security.

II.

SECTION 10(b) OF THE SECURITIES EXCHANGE ACT OF 1934

IT IS FURTHER ORDERED AND ADJUDGED that Huggins and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78j(b), and Exchange Act Rule 10b-5(a) and (c), 17 C.F.R. § 240.10b-5(a) and (c), by using 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 security:

- (a) to employ any device, scheme, or artifice to defraud involving the payment of undisclosed compensation in the form of cash, stock, or any other item of value to any investment advisor, manager, or trustee, or to any person associated with such investment advisor, manager, or trustee, or the manipulation of the price or volume of any security; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person involving the payment of undisclosed compensation in the form of cash, stock, or any other item of value to any investment advisor, manager, or trustee, or to any person associated with such

investment advisor, manager, or trustee, or the manipulation of the price or volume of any security.

III.

PENNY STOCK BAR

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

IV.

CIVIL PENALTY

IT IS FURTHER ORDERED AND ADJUDGED that Huggins shall pay a civil 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). The Court shall determine the amount of the civil penalty upon motion of the Commission. In connection with the Commission's motion for a civil penalty, and at any hearing held on such a motion: (a) Huggins will be precluded from arguing that he did not violate the federal securities laws as alleged in the Complaint; (b) Huggins may not challenge the validity of the Consent or this Judgment; (c) solely for the purposes of such motion, the allegations of the Complaint shall be accepted as and deemed true by the Court; and (d) the Court may determine the issues raised in the motion 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. In connection with the Commission's motion for a civil penalty, the parties may take discovery, including discovery from appropriate non-parties.

V.

INCORPORATION OF HUGGINS'S CONSENT

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


VI.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

Done and Ordered in Chambers in ~~Miami~~ ^{Fort Lauderdale}, Florida, this ~~7th~~ ^{4th} day of September,

2012.


ROBIN S. ROSENBAUM
UNITED STATES DISTRICT JUDGE