

FILED
MAR 19 2001
NANCY WILKINSON WASHINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

SECURITIES AND EXCHANGE COMMISSION, :
 :
Plaintiff, :
 :
v. :
 :
AARON C. FINCH, :
 :
Defendant. :

Case No. 01 0549

**FINAL JUDGMENT OF PERMANENT INJUNCTION
AND OTHER RELIEF AS TO AARON C. FINCH**

Plaintiff Securities and Exchange Commission (“Commission”), having filed its Complaint, and defendant Aaron C. Finch (“Finch”) in his attached Consent of Aaron C. Finch (“Consent”), filed simultaneously with this Final Judgment of Permanent Injunction and Other Relief as to Aaron C. Finch (“Final Judgment”) and incorporated herein, having entered a general appearance, having admitted the jurisdiction of this Court over him and over the subject matter of this action, having waived service of process, having waived filing an answer, having waived the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, having waived any right he might have to appeal from the entry of this Final Judgment, and, without admitting or denying any of the allegations of the Complaint except as to jurisdiction, which he admits, having consented to the entry of this Final Judgment, and it further appearing that this Court has jurisdiction over defendant Finch and over the subject matter hereof, and the Court being fully advised in the premises:

(2)

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that defendant Finch, his agents, servants, employees, attorneys-in-fact and those persons in active concert or participation with him who receive actual notice of this Final Judgment by personal service or otherwise, and each of them, are permanently restrained and enjoined from violating, directly or indirectly, by the use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of a national securities exchange, Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5] by:

- 1) employing any device, scheme, or artifice to defraud,
- 2) making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading, or
- 3) engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person,

in connection with the purchase or sale of any security.

II.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Finch shall disgorge all profits gained as a result of the unlawful conduct alleged in the Complaint, plus pre-judgment interest thereon at the rates established pursuant to 26 U.S.C. § 6621(a)(2), to wit: disgorgement in the amount of \$10,089.32 and pre-judgment interest in the amount of \$840.28.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Finch shall pay a civil penalty under the Insider Trading and Securities Fraud Enforcement Act of 1988, 15 U.S.C. § 78u-1, in the amount of \$10,089.32, equal to the amount of all profits gained by defendant Finch as a result of the unlawful conduct alleged in the Complaint.

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Finch shall pay the disgorgement, plus pre-judgment interest, and the civil penalty, which total \$21,018.92, within ten (10) days after entry of the Final Judgment, by bank cashier's check, certified check, United States postal money order or bank money order payable to the "Securities and Exchange Commission." The payment shall be hand-delivered or mailed to the Office of the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312. The payment shall be accompanied by a letter that identifies Finch as the defendant on whose behalf the payment is being made, the caption and case number of this action, the name of this Court, and the Commission's internal file number for this matter (HO-9045). Copies of such check or money order and accompanying cover letter shall be simultaneously transmitted to Eric Hansen, 450 Fifth Street, N.W., Washington, D.C. 20549-0708.

V.

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

* * *

There being no cause for delay, the Clerk of the Court is directed, pursuant to Rule 54 (b) of the Federal Rules of Civil Procedure, to enter this Final Judgment forthwith.

Ellen S. Huelke
UNITED STATES DISTRICT JUDGE

Date: 3/16/01