

1 ROTHSTEIN, J.
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9 CLERK U.S. DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
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18 AT SEATTLE
19 CLERK U.S. DISTRICT COURT
20 WESTERN DISTRICT OF WASHINGTON
21 DEPUTY

22 **UNITED STATES DISTRICT COURT
23 FOR THE WESTERN DISTRICT OF WASHINGTON
24 AT SEATTLE**

25 **U.S. SECURITIES AND EXCHANGE COMMISSION, Plaintiff, v. UNITED FIRE TECHNOLOGY, INC., ET AL., Defendants.**

1 Cause No. C97-1151R
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3 FINAL JUDGMENT OF PERMANENT INJUNCTIVE AND OTHER RELIEF BY CONSENT AGAINST JAMES GARTLAND
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6 Plaintiff U.S. SECURITIES AND EXCHANGE COMMISSION ("Commission") having
7 commenced this action by filing a complaint on July 15, 1997 against, inter alia, defendant
8 JAMES GARTLAND ("Gartland") for permanent injunctive and other relief ("Complaint"),
9 charging Gartland with violations of Section 17(a) of the Securities Act of 1933 ("Securities
10 Act"), 15 U.S.C. § 77q(a), Section 10(b) of the Securities Exchange Act of 1934 ("Exchange
11 Act"), 15 U.S.C. § 78j(b), and Rule 10b-5, 17 C.F.R. § 240.10b-5; and Gartland having appeared
12 by counsel in this action but not having filed an answer to the Complaint or a motion directed to
13 the Complaint; and Gartland having executed the annexed Consent of James Gartland
14 ("Consent"), in which, without admitting or denying the allegations of the Complaint, Gartland
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16 FINAL JUDGMENT OF PERMANENT
17 INJUNCTIVE AND OTHER RELIEF
18 BY CONSENT AGAINST
19 JAMES GARTLAND - 1

20 U.S. Securities and Exchange Commission
21 7 World Trade Center, 13th Floor
22 New York, New York 10048
23 Tel.: 212-748-8375
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1 admits the in personam jurisdiction of the Court over him and the Court's jurisdiction over the
2 subject matter of this action, and the service of the summons and Complaint upon him, waives
3 the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of
4 Civil Procedure, and consents to the entry, without further notice, of this Final Judgment of
5 Permanent Injunctive and Other Relief by Consent Against James Gartland ("Final Judgment");
6 and there being no just reason for delaying the entry of this Final Judgment:

7 **I.**

8 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Gartland is
9 permanently restrained and enjoined, directly or indirectly, singly or in concert, in the offer or
10 sale of any securities, by the use of any means or instruments of transportation or communication
11 in interstate commerce or by the use of the mails, from:

13 (a) employing any device, scheme, or artifice to defraud;
14 (b) obtaining money or property by means of any untrue statement of a material fact
15 or any omission necessary to state a material fact necessary in order to make the
16 statements made, in light of the circumstances under which they were made, not
17 misleading; or
18 (c) engaging in any transaction, practice, or course of business which operates or
19 would operate as a fraud or deceit upon the purchaser,

21 in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

22 **II.**

23 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Gartland is
24 permanently restrained and enjoined, directly or indirectly, singly or in concert, in connection
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with the purchase or sale of any security, by the use of any means or instrumentality or interstate commerce or of the mails, or of any facility of any national securities exchange, from:

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

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that pursuant to Rule 65(d) of the Federal Rules of Civil Procedure this Final Judgment is binding upon Gartland, his agents, servants, employees, and attorneys, and upon those persons in active concert or participation with him who receive actual notice of this Final Judgment by personal service or otherwise.

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IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall
retain jurisdiction of this matter for all purposes, including implementing and enforcing the terms
and conditions of this Final Judgment.

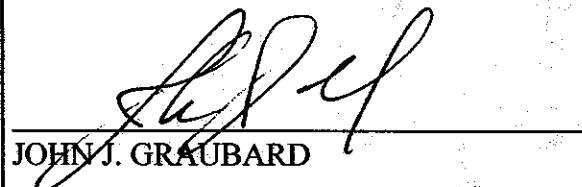
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V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the annexed
Consent of Gartland is incorporated in this Final Judgment with the same force and effect as it
fully set forth herein.

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VI.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED there being no just
reason for delay, the Clerk of the Court is hereby directed to enter this Final Judgment pursuant
to Rule 54(b) of the Federal Rules of Civil Procedure.

14 PRESENTED BY:

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17 JOHN J. GRAUBARD

18 Dated this 30th day of August, 1999.

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22 UNITED STATES DISTRICT JUDGE

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25 FINAL JUDGMENT OF PERMANENT
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