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FILED

98 JUN 10 PM 3:25

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

3 Attorneys for Plaintiff
4 Securities and Exchange Commission
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BY:

DEPUTY

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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10
11 SECURITIES AND EXCHANGE COMMISSION

Case No. '98 CV 1072J RBB

12 Plaintiff,

FINAL JUDGMENT OF PERMANENT
INJUNCTION AND OTHER RELIEF
AGAINST JOSE F. GARCIA

13 vs.

14 GLOBAL TIMBER CORPORATION, et al.,

15 Defendants.
16

17 Plaintiff Securities and Exchange Commission ("Commission"),
18 having filed and served upon Defendant Jose F. Garcia ("Garcia") a
19 Summons and Complaint in this matter and Defendant Garcia having
20 admitted service upon him of the Summons and Complaint in this
21 action and the jurisdiction of this Court over him and over the
22 subject matter of this action; having been fully advised and
23 informed of his rights to a judicial determination of this matter;
24 having waived the entry of findings of fact and conclusions of law
25 as provided by Rule 52 of the Federal Rules of Civil Procedure;
26 having consented to the entry of this Final Judgment of Permanent
27 Injunction and Other Relief Against Defendant Jose F. Garcia ("Final
28 Judgment") without admitting or denying the allegations in the

1 Complaint, except as specifically set forth in the Consent of
2 Defendant Jose F. Garcia to Entry of Final Judgment of Permanent
3 Injunction and Other Relief ("Consent"); and it appearing that no
4 notice of hearing upon the entry of this Final Judgment being
5 necessary; and the Court being fully advised in the premises, and
6 there being no just reason for delay:

7 I.

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant
9 Garcia and his agents, servants, employees and attorneys, and all
10 persons in active concert or participation with any of them, who
11 receive actual notice of this Final Judgment, by personal service or
12 otherwise, and each of them, are permanently restrained and enjoined
13 from, directly or indirectly, by the use of any means or
14 instrumentality of interstate commerce, or of the mails, or of any
15 facility of any national securities exchange:

- 16 A. employing any device, scheme, or artifice to defraud;
17 B. making any untrue statement of a material fact or omitting
18 to state a material fact necessary in order to make the
19 statements made, in the light of the circumstances under
20 which they were made, not misleading; or
21 C. engaging in any act, practice, or course of business which
22 operates or would operate as a fraud or deceit upon any
23 person, in connection with the purchase or sale of any
24 security;

25 in violation of Section 10(b) of the Securities Exchange Act of 1934
26 ("Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17
27 C.F.R. § 240.10b-5].
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II.

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2 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Garcia shall
3 pay a civil penalty under Section 21(d)(3) of the Exchange Act [15
4 U.S.C. § 78u(d)(3)] in the amount of Twenty-Five Thousand Dollars
5 (\$25,000.00). The Court hereby orders payment by Garcia of the sum
6 \$25,000 as a civil penalty, no later than thirty (30) days after the
7 date this Final Judgment is entered by certified check, bank
8 cashier's check, bank money order or postal money order payable to
9 the "Securities and Exchange Commission." Such payment shall be
10 hand-delivered or mailed to the attention of the Comptroller,
11 Securities and Exchange Commission, Operations Center, 6432 General
12 Green Way, Stop 0-3, Alexandria, VA 22312, under cover of a letter
13 that identifies Garcia, the caption and case number of this action,
14 and the name of this Court. Copies of this check and accompanying
15 cover letter shall be simultaneously transmitted to James H. Davis
16 of the Commission, 5670 Wilshire Boulevard, 11th Floor, Los Angeles,
17 California 90036. At such time as said funds are transmitted to the
18 Commission's Comptroller, Garcia relinquishes all legal and
19 equitable right, title, and interest in the funds, and no part of
20 said funds shall be returned to Garcia or his successors or assigns.

21 III.

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions
23 of the Consent filed concurrently with this Final Judgment are
24 incorporated herein with the same force and effect as if fully set
25 forth herein and that Garcia shall comply with his Consent.

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IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court shall retain jurisdiction over this action to implement and enforce the terms of the Final Judgment and other decrees that may be entered herein and to grant such other relief as the Court may deem necessary and just.

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

DATED: JUN 9 1998 , 1998

NAPOLEON A. JONES JR.
UNITED STATES DISTRICT JUDGE