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UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

DANIEL T. TODT, REBECCA L. TODT,  
BAY STATE TRUST, INGE MARILYN PERRY,  
H. WAYNE LEGGETT, SHMMUEL EMMANUEL  
ABUJAH QUITANO (a/k/a HRH SHMMUEL ABUJAH,  
a/k/a/ SERGIO ARCINEAGAS), NEAL HARRIS,  
ABE INVESTMENTS GROUP, INC., AND JORGE  
BRYSON,

Defendants.

98 Civ. 3980 (JGK)

FINAL JUDGMENT OF  
PERMANENT  
INJUNCTION AND  
OTHER RELIEF AS TO  
Inge Marilyn Perry

**FINAL JUDGMENT OF PERMANENT INJUNCTION  
AND OTHER RELIEF AS TO Inge Marilyn Perry**

Plaintiff SECURITIES AND EXCHANGE COMMISSION (the "COMMISSION"), having duly commenced this action by filing its COMPLAINT (the "COMPLAINT"), and Defendant Inge Marilyn Perry, having in her CONSENT AND UNDERTAKING OF Inge Marilyn Perry (the "CONSENT") entered a general appearance herein, having admitted the jurisdiction of this Court over her and over the subject matter of this action, having waived the filing of an Answer to the COMPLAINT and the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, and without admitting or denying any of the allegations of the COMPLAINT, except as to jurisdiction, which she admits, having consented to the entry of this FINAL JUDGMENT OF PERMANENT

INJUNCTION AND OTHER RELIEF AS TO Inge Marilyn Perry (the "FINAL JUDGMENT"), permanently restraining and enjoining Inge Marilyn Perry from violating Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)] and Exchange Act Rule 10b-5 [17 C.F.R. § 240.10b-5] promulgated thereunder, and Section 17(a) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)]; and it further appearing that this Court has jurisdiction over Inge Marilyn Perry and the subject matter hereof, and the Court being fully advised in the premises:

I.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Inge Marilyn Perry, her agents, servants, employees, attorneys-in-fact, and all those persons in active concert or participation with them who receive actual notice of the FINAL JUDGMENT by personal service or otherwise, and each of them, be and they hereby are permanently enjoined and restrained from violating Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder by, directly or indirectly, using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange:

- (1) to employ any device, scheme or artifice to defraud;
- (2) to make any untrue statement of a material fact or to omit 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
- (3) to engage 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 Inge Marilyn Perry, her agents, employees, servants, attorneys-in-fact, and all those persons

in active concert or participation with them who receive actual notice of the FINAL JUDGMENT by personal service or otherwise, and each of them, be and they hereby are permanently enjoined and restrained from violating Section 17(a) of the Securities Act [15 U.S.C. § 77q(a)] by, directly or indirectly, in the offer or sale of any securities, using any means or instruments of transportation or communication in interstate commerce or by using the mails:

- (1) to employ any device, scheme, or artifice to defraud;
- (2) to obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (3) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

### III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant Inge Marilyn Perry shall comply with her undertakings to: cooperate with the COMMISSION and its staff and truthfully disclose all information with respect to her activities and the activities of others about which the COMMISSION or its staff may inquire; testify in all investigations, administrative and judicial proceedings at which the COMMISSION or its staff makes requests for testimony except to the extent that the U.S. Department of Justice objects to such testimony; make herself available as may be required by the COMMISSION or its staff; produce any documents within her possession, custody or control, domestic or foreign, which are requested by the COMMISSION or its staff; be accompanied at any time she so desires by counsel of her choice; give truthful and accurate information and testimony and not assert any evidentiary or other privilege, other than the attorney-client, work product, and Fifth Amendment privileges; and in the event of her failure to testify truthfully or to comply

with the above requirements, be subject to contempt proceedings, charges of perjury and/or charges of obstruction of justice.

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. §78u(d)(3)] and Section 20(d) of the Securities Act [15 U.S.C. §77t(d)], Inge Marilyn Perry shall pay a civil penalty in the amount of \$10,000. Payment shall be made in the following manner: Within 10 days of the entry of the Final Judgment, Inge Marilyn Perry shall pay \$10,000 to the United States Treasury. Such payment shall be: (A) made by United States postal money order, certified check, bank cashier's check or bank money order, (B) made payable to the Securities and Exchange Commission; (C) hand-delivered or mailed to the Comptroller, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Stop 0-3, Alexandria, VA 22312; and (D) submitted with a cover letter that identifies Inge Marilyn Perry as a defendant in this action, the caption and the civil action number of this action, and the name of this Court, and a copy of the cover letter and money order or check shall also be sent to Paul V. Gerlach, Associate Director, Division of Enforcement, Securities and Exchange Commission, 450 5th Street N.W., Stop 8-1, Washington, D.C. 20549.

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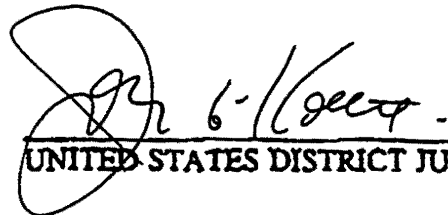
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the annexed CONSENT be, and the same hereby is, incorporated herein by reference with the same force and effect as if fully set forth herein.

VI.

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

VII.

There being no just cause 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.

  
UNITED STATES DISTRICT JUDGE

DATED: 12/1/98



THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 12-3-98