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U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
CREATING COURT

UNITED STATES DISTRICT COURT  
for the  
MIDDLE DISTRICT OF FLORIDA

SECURITIES AND EXCHANGE COMMISSION, )  
)  
Plaintiff, )  
)  
v. )  
)  
)  
JAMES T. STAPLES, JOSEPH A. MONACO, )  
JENO K. KOCH, DAVID E. TROTTER AND )  
ROBERT L. HEINTZ, )  
)  
Defendants. )  
)

CIVIL ACTION NO:  
98-1061-CV-22-C

**ORDER RELATING TO CIVIL MONEY PENALTIES  
AGAINST ROBERT L. HEINTZ**

Defendant Robert L. Heintz ("Heintz"), by the Consent annexed hereto, without admitting or denying any of the allegations in the Commission's Complaint, except that he is admitting the allegation as to the jurisdiction over him of this Court and over the subject matter of this action, has agreed to the entry of this Order Relating to Civil Money Penalties. This Court having accepted such Consent and having jurisdiction over defendant Heintz and the subject matter hereof, and the Court being fully advised in the premises:

I.

CIVIL PENALTY

IT IS FURTHER ORDERED that based upon Defendant's sworn representations in his Statement of Financial Condition dated 3-17-2000, and submitted to the Commission, the Court is not ordering him to 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. §78 (d) (3). The

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determination not to impose a civil penalty and to waive payment of the disgorgement and pre-judgment interest thereon is contingent upon the accuracy and completeness of his Statement of Financial Condition. If at any time following the entry of this Final Judgment the Commission obtains information indicating that Defendant's representations to the Commission concerning his assets, income, liabilities, or net worth were fraudulent, misleading, inaccurate or incomplete in any material respect as of the time such representations were made, the Commission may, at its sole discretion and without prior notice to Defendant, petition this Court for an order requiring Defendant to pay a civil penalty. In connection with any such petition, the only issues shall be whether the financial information provided by Defendant was fraudulent, misleading, inaccurate or incomplete in any material respect as of the time such representations were made, and the amount of civil penalty to be imposed. In its petition, the Commission may move this Court to consider all available remedies, including, but not limited to, ordering Defendant to pay funds or assets, directing the forfeiture of any assets, or sanctions for contempt of this Order, and the Commission may also request additional discovery. Defendant may not, by way of defense to such petition, challenge the validity of his Consent or the Order, contest the allegations in the Complaint filed by the Commission, contest the amount of disgorgement and interest, or assert that disgorgement or the payment of a civil penalty should not be ordered.

## II.

### **INCORPORATION OF CONSENT**

**IT IS HEREBY FURTHER ORDERED** that defendant Heintz shall comply with the provisions of the Consent attached hereto, and that such Consent is incorporated herein by reference as if fully set forth herein.

**III.**

**NOTICES**

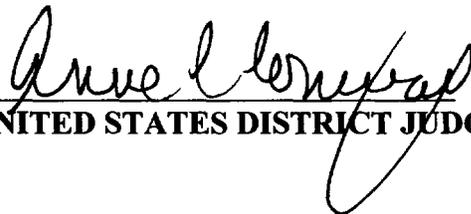
**IT IS HEREBY FURTHER ORDERED** that defendant Heintz shall provide the Commission, at all times during the pendency of this action, with his current address for purposes of service of filings and other communications. Such notice shall be provided in writing to Regional Director, Securities and Exchange Commission, 1401 Brickell Avenue, Suite 200, Miami, Florida 33131. Should defendant Heintz fail to provide such notice, service by mail at defendant Heintz's last known address shall be deemed proper service.

**IV.**

**RETENTION OF JURISDICTION**

**IT IS HEREBY FURTHER ORDERED** that, this Court will retain jurisdiction over this matter and defendant Heintz in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and such other relief this Court deems appropriate.

**DONE AND ORDERED** in Orlando, Florida, on this 20<sup>th</sup> day of June, 2000.

  
**UNITED STATES DISTRICT JUDGE**

cc:

Robert Heintz

David E. Trotter, pro se

13509 Magnolia Park Court

Windermere, FL 34786

Glenn A. Harris, COUNSEL FOR SEC