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NORTHERN DISTRICT OF OHIO
AKRON

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF OHIO
Eastern Division

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

P. JOSEPH VERTUCCI,
BRUCE E. STRAUGHN,
ROBERT V. PETRY,
ROLAND R. BAUGHMAN,
RICHARD M. JOHNSON,
EDWARD MEYER, JR., and
HAZLET INVESTORS, INC.,

Defendants,

and

JOANNE C. STRAUGHN,
Relief Defendant.

CASE NO. 5:99CV426
Polster, J.

**FINAL JUDGMENT OF PERMANENT INJUNCTION AND OTHER
EQUITABLE RELIEF AS TO DEFENDANT ROBERT V. PETRY**

Plaintiff Securities and Exchange Commission ("Commission") having filed a Complaint alleging that defendant Robert V. Petry violated Sections 5(a) and 5(c) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77e(a) and (c)]; and Petry, in his attached Consent and Undertakings ("Consent"), having entered a general appearance and admitted the jurisdiction of this Court over him and over the subject matter of this action, having waived the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, having withdrawn his Answer to the Complaint to the extent it denies any allegation in the Complaint and, solely for the purpose of this action, without admitting or denying any of the allegations of the Complaint except as to jurisdiction, which he admits, and having consented to the entry of this Final Judgment of Permanent Injunction and Other Equitable Relief as to Defendant Robert V. Petry ("Final Judgment") permanently enjoining Petry from violating Sections 5(a) and 5(c) of the Securities Act; and it appearing to the Court that this Court has jurisdiction over Petry and over the subject matter of this action,

I

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Petry, his agents, employees, servants, attorneys-in-fact, and all those persons in active concert or participation with Petry who receive actual notice of the Final Judgment by personal service or otherwise, and each of them, be and they hereby are permanently restrained and enjoined from violating Sections 5(a) and 5(c) of the Securities Act [15 U.S.C. §§ 77e(a) and 77e(c)] by, directly or indirectly, in the absence of any applicable exemption:

- (1) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell the securities

- of any issuer, through the use or medium of any prospectus or otherwise, unless and until a registration statement is in effect as to such securities;
- (2) carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or for delivery after sale, the securities of any issuer, unless and until a registration statement is in effect as to such securities;
- (3) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell or offer to buy through the use or medium of any prospectus or otherwise any securities of any issuer, unless and until a registration statement has been filed with the Commission as to such securities, or while a registration statement as to such securities is the subject of a refusal order or stop order or (prior to the effective date of the registration statement) any public proceeding of examination under Section 8 of the Securities Act [15 U.S.C. § 77h];

II

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petry shall comply with his undertaking that, in connection with this action or any related judicial or administrative action or investigation undertaken by or on behalf of, or authorized by, the Commission or to which the Commission is a party, (a) he will, upon reasonable notice, produce documents and make himself available for interviews upon the request of the Commission or its staff; and (b) he will accept service by mail of subpoenas for any

depositions, trials or hearings, and hereby waives the territorial limits on service set forth in Rule 45 of the Federal Rules of Civil Procedure.

III

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petry shall pay a civil penalty pursuant to Section 20(d) of the Securities Act in the amount of \$10,000. Such payment shall be made by U.S. Postal money order, certified check, bank cashiers check or bank money order, payable to the order of the Securities and Exchange Commission, and shall be delivered within 45 days of the entry of the Final Judgment to the Office of the Comptroller, Securities and Exchange Commission, 450 Fifth Street, N.W., Mail Stop 0-3, Washington, D.C. 20549, under cover of a letter that identifies the defendant, the name and civil action number of this litigation, and the court in which it was brought. A copy of the cover letter and payment shall be transmitted simultaneously to Charles D. Stodghill, Esq., counsel for the Plaintiff Commission, at the following address: Securities and Exchange Commission, Division of Enforcement, 450 Fifth Street, N.W., Washington, DC 20549-0803.

IV

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petry shall comply with the annexed Consent, which is incorporated herein by reference with the same force as if fully set forth in this Final Judgment.

V

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.

VI

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: January 22, 2002



UNITED STATES DISTRICT JUDGE