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13 Securities and Exchange Commission  
14 5670 Wilshire Boulevard, 11th Floor  
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17 Attorneys for the Plaintiff,  
18 Securities and Exchange Commission

19 UNITED STATES DISTRICT COURT  
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA

21 SECURITIES AND EXCHANGE COMMISSION,  
22 Plaintiff,

23 v.

24 GARY DALE HOKE, JR.,  
25 Defendant.

Ent JS-6  
FILED  
CLERK, U.S. DISTRICT COURT  
AUG 31 1999  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

LOGGED  
CLERK, U.S. DISTRICT COURT  
AUG 30 1999  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL  
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
RECORD IN THIS ACTION ON THIS DATE.

DATED: 9/2/99  
DEPUTY CLERK

ENTERED  
CLERK, U.S. DISTRICT COURT  
SEP - 2 1999  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

Civ. Action No.  
99-04262 (LGB) (Ex)

FINAL JUDGMENT  
OF PERMANENT  
INJUNCTION AS TO  
GARY DALE HOKE, JR.

26 Plaintiff Securities and Exchange Commission having commenced this action  
27 and Defendant Gary Dale Hoke, Jr. ("Hoke"), in his Consent filed simultaneously  
28 with this Final Judgment of Permanent Injunction and incorporated herein by  
reference, having admitted receiving service of process; admitted the jurisdiction of  
this Court over him and over the subject matter of this action; waived the filing of an  
Answer 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 the  
allegations of the Complaint, except as to jurisdiction, which he admits, consented to

THIS CONSTITUTES NOTICE OF ENTRY  
AS REQUIRED BY FRCP, RULE 77(d).

SEP 02 1999

ENTERED ON ICMS  
SEP - 2 1999  
CV JB

- ... Docketed
- ... Mld copy Prys
- ... Mld Notice Prys
- ... JS-6

5

1 the entry of this Final Judgment; and it appearing that this Court has jurisdiction over  
2 the Defendant and the subject matter hereof, and the Court being fully advised in the  
3 premises:

4 I.

5 IT IS ORDERED, ADJUDGED, AND DECREED that Hoke and his agents,  
6 servants, employees, and attorneys, and all persons in active concert or participation  
7 with him who receive actual notice of this Final Judgment by personal service or  
8 otherwise, hereby are permanently enjoined and restrained from violating Section  
9 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)]  
10 and Rule 10b-5 [17 C.F.R. 240.10b-5], promulgated thereunder, by the use of any  
11 means or instrumentality of interstate commerce, or of the mails, or of any facility of  
12 any national securities exchange, by,

13 a. employing any device, scheme, or artifice to defraud;

14 b. making any untrue statement of a material fact or omitting to state  
15 a material fact necessary in order to make the statements made, in the light of  
16 the circumstances under which they were made, not misleading; or

17 c. engaging in any act, practice, or course of business which  
18 operates or would operate as a fraud or deceit upon any person,

19 in connection with the purchase or sale of any security.

20 II.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that based upon  
22 Hoke's sworn representations in his Statement of Financial Condition, dated June 16,  
23 1999, and submitted to the Commission, the Court is not ordering him to pay a civil  
24 penalty pursuant to Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)].

25 The determination not to impose a civil penalty is contingent upon the accuracy and  
26 completeness of his Statement of Financial Condition. If at any time following the  
27 entry of this Final Judgment the Commission obtains information indicating that  
28

1 Hoke's representations to the Commission concerning his assets, income, liabilities, or  
2 net worth were fraudulent, misleading, inaccurate, or incomplete in any material  
3 respect as of the time such representations were made, the Commission may, at its  
4 sole discretion and without prior notice to Hoke, petition this Court for an order  
5 imposing a civil penalty. In connection with any such petition, the only issues shall be  
6 whether the financial information provided by Hoke was fraudulent, misleading,  
7 inaccurate, or incomplete in any material respect as of the time such representations  
8 were made, and the amount of civil penalty to be imposed. In its petition, the  
9 Commission may move this Court to consider all available remedies, including, but  
10 not limited to, ordering Hoke to pay funds or assets, directing the forfeiture of any  
11 assets, or sanctions for contempt of this Final Judgment, and the Commission may  
12 also request additional discovery. Hoke may not, by way of defense to such petition,  
13 challenge the validity of his Consent or the Final Judgment, contest the allegations in  
14 the Complaint filed by the Commission, or assert that payment of a civil penalty  
15 should not be ordered.

16 III.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court  
18 shall retain jurisdiction over this matter and the parties thereto for the purpose of  
19 enforcing this Final Judgment.

20 IV.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, there  
22 being no just reason for delay, the Clerk of the Court is directed to enter this Final  
23 Judgment of Permanent Injunction immediately and without further notice.

24  
25   
26 Lourdes G. Baird  
UNITED STATES DISTRICT JUDGE

27 Dated: August 31, 1999  
28

1 **PERSONS ENTITLED TO NOTICE OF ENTRY OF FINAL JUDGMENT**

2 Gary Dale Hoke, Jr.  
3 c/o Samuel T. Currin, Esquire  
4 Currin Law Firm, PLLC  
5 20 Market Plaza  
6 Raleigh, NC 27602-0269  
7 (919) 833-0888

8 Yuri B. Zelinsky  
9 Securities and Exchange Commission  
10 Mail Stop 8-8  
11 450 Fifth Street, N.W.  
12 Washington, DC 20549-0808  
13 (202) 942-4890

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CERTIFICATE OF SERVICE

1  
2 I, Magnolia M. Marcelo, am the over the age of 18 years, not a  
3 party to this action, and am a citizen of the United States. My  
4 business address is 5670 Wilshire Boulevard, 11th Floor, Los  
5 Angeles, California 90036. On August 30, 1999, I caused to be  
6 served the following document entitled **FINAL JUDGMENT OF PERMANENT**  
7 **INJUNCTION AS TO GARY DALE HOKE, JR.** by causing to be mailed true  
8 and correct copies thereof in sealed envelope, postage prepaid, to:

9  
10 Samuel T. Currin, Esq.  
11 Currin Law Firm, PLLC  
12 20 Market Plaza  
13 Raleigh, NC 26702-0269

14 Carlos R. Juelle, Esq.  
15 Stein, Shostak & O'Hara  
16 Suite 1200  
17 515 South Figueroa Street  
18 Los Angeles, CA 90071-3329

19 I declare under penalty of perjury that the foregoing is true  
20 and correct.

21 Dated: August 30, 1999

22 Magnolia M. Marcelo  
23 Magnolia M. Marcelo  
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25  
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