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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

BEN-WAL LEASING COMPANY;
BEN-WAL MANAGEMENT, INC.; and
JERRY E. BENSON,

Defendants,

and

CTR WEB PRINTING, INC.; and
SCOTT W. BENSON,

Relief Defendants.

Case No. CV 09-6223 ODW (FMOx)

**JUDGMENT AGAINST BEN-WAL
LEASING COMPANY, BEN-WAL
MANAGEMENT, INC., AND
JERRY E. BENSON**

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1 The Securities and Exchange Commission having filed a Complaint and
2 Defendants Ben-Wal Leasing Company, Ben-Wal Management, Inc. and Jerry E.
3 Benson (“Defendants”) having entered a general appearance; consented to the
4 Court’s jurisdiction over Defendants and the subject matter of this action;
5 consented to entry of this Judgment without admitting or denying the allegations of
6 the Complaint (except as to jurisdiction); waived findings of fact and conclusions
7 of law; and waived any right to appeal from this Judgment:

8 **I.**

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
10 Defendants and Defendants’ agents, servants, employees, attorneys, and all persons
11 in active concert or participation with them who receive actual notice of this
12 Judgment by personal service or otherwise are permanently restrained and enjoined
13 from violating, directly or indirectly, Section 17(a) of the Securities Act of 1933
14 (“Securities Act”), 15 U.S.C. § 77q(a), in the offer or sale of any securities by the
15 use of any means or instruments of transportation or communication in interstate
16 commerce or by use of the mails, directly or indirectly:

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

24 **II.**

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
26 Defendants and Defendants’ agents, servants, employees, attorneys, and all persons
27 in active concert or participation with them who receive actual notice of this
28 Judgment by personal service or otherwise are permanently restrained and enjoined

1 from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act
2 of 1934 (the “Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated
3 thereunder, 17 C.F.R. § 240.10b-5, by the use of any means or instrumentality of
4 interstate commerce, or of the mails, or of any facility of any national securities
5 exchange, in connection with the purchase or sale of any security:

- 6 (a) to employ any device, scheme, or artifice to defraud; or
- 7 (b) to make any untrue statement of a material fact or to omit to state a
8 material fact necessary in order to make the statements made, in the
9 light of the circumstances under which they were made, not
10 misleading; or
- 11 (c) to engage in any act, practice, or course of business which operates or
12 would operate as a fraud or deceit upon any person.

13 **III.**

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
15 Defendant shall pay disgorgement of ill-gotten gains, prejudgment interest thereon,
16 and a civil penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C. §
17 77t(d), and Section 21(d)(3) of the Exchange Act, 15 U.S.C. § 78u(d)(3). The
18 Court shall determine the amounts of the disgorgement and civil penalty upon
19 motion of the Commission. Prejudgment interest shall be calculated from January
20 1, 2004, based on the rate of interest used by the Internal Revenue Service for the
21 underpayment of federal income tax as set forth in 26 U.S.C. § 6621(a)(2). In
22 connection with the Commission’s motion for disgorgement and/or civil penalties,
23 and at any hearing held on such a motion: (a) Defendants will be precluded from
24 arguing that they did not violate the federal securities laws as alleged in the
25 Complaint; (b) Defendants may not challenge the validity of the Consent or this
26 Judgment; (c) solely for the purposes of such motion, the allegations of the
27 Complaint shall be accepted as and deemed true by the Court; and (d) the Court
28 may determine the issues raised in the motion on the basis of affidavits,

1 declarations, excerpts of sworn deposition or investigative testimony, and
2 documentary evidence, without regard to the standards for summary judgment
3 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection
4 with the Commission's motion for disgorgement and/or civil penalties, the parties
5 may take discovery, including discovery from appropriate non-parties.

6 **VII.**

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
8 Consent is incorporated herein with the same force and effect as if fully set forth
9 herein, and that Defendants shall comply with all of the undertakings and
10 agreements set forth therein.

11 **VIII.**

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
13 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
14 of this Judgment.

15 **IX.**

16 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
17 Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and
18 without further notice.

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20 DATED: February 4, 2010

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23 HONORABLE OTIS D. WRIGHT II
24 UNITED STATES DISTRICT JUDGE
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