



**AGREED INTERLOCUTORY JUDGMENT OF PERMANENT INJUNCTION**

Plaintiff Securities and Exchange Commission (“Commission”), having filed its Complaint in this matter, and defendants C. Keith LaMonda and Jesse W. LaMonda (collectively “Defendants”) having appeared herein, having admitted the jurisdiction of this Court over them, having waived the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, having consented, without admitting or denying any of the allegations in the Commission’s Complaint except as to jurisdiction as set forth above, to the entry of this Agreed Interlocutory Judgment of Permanent Injunction (“Interlocutory Judgment”) enjoining Defendants from engaging in transactions, acts, practices and courses of business that constitute and would constitute violations of Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933 (“Securities Act”) and Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”), and Rule 10b-5 promulgated thereunder; and it further appearing that this Court has jurisdiction over Defendants and over the subject matter of this action:

IT IS THEREFORE ORDERED:

1. Defendants, their agents, servants, employees, attorneys, and all other persons in active concert or participation with them, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Sections 5(a) and 5(c) of the Securities Act [15 U.S.C. §§77e(a) and 77e(c)]:

- A. by making use of any means or instruments of transportation or communication in interstate commerce or of the mails, to sell a security through the use or medium of a prospectus or otherwise; or
- B. by carrying or causing to be carried through the mails or in interstate commerce, by any means or instruments of transportation, a security for

the purpose of sale or for delivery after sale unless a registration statement is in effect as to the security; or to make use of any means or instruments of transportation or communication in interstate commerce of the mails to offer to sell or offer to buy through the use or medium of a prospectus or otherwise a security;

Unless a registration statement has been filed as to the security; or while the registration statement is the subject of a refusal order, stop order or (prior to the effective date of the registration statement) any public proceeding or examination under Section 8 of the Securities Act.

2. Defendants, their agents, servants, employees, attorneys, and all other persons in active concert or participation with them, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Section 17(a) of the Securities Act [15 U.S.C. §77q(a)], directly or indirectly, in the offer or sale of a security, by making use of any means or instruments of transportation or communication in interstate commerce or by use of the mails:

- A. to employ any device, scheme or artifice to defraud;
- B. 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; and/or
- C. to engage in any transaction, practice or course of business which operates or would operate as a fraud or deceit upon any purchaser.


3. Defendants, their agents, servants, employees, attorneys, and all other persons in active concert or participation with them, who receive actual notice of this order, by personal service or otherwise, and each of them, be and hereby are restrained and enjoined from violating Section 10(b) of the Exchange Act and Rule 10b-5 [15 U.S.C. §78j(b) and 17 C.F. R. §240.10b-5], directly or indirectly, in connection with the purchase or sale of a security, by making use of any means or instrumentality of interstate commerce, of the mails or of any facility of any national securities exchange:

- A. to use or employ any manipulative or deceptive device or contrivance;
- B. to employ any device, scheme or artifice to defraud;
- C. to make any untrue statement of a material fact or omit 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; and/or
- D. to engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

4. The Commission's claims for disgorgement, including prejudgment interest, and the imposition of civil monetary penalties against Defendants pursuant to Section 20(d) of the Securities Act and Section 21(d) of the Exchange Act shall be decided at a future date by the Court based upon the motion of the Commission.

5. The purpose of this Interlocutory Judgment is to convert the parties' prior agreed preliminary injunction into a permanent injunction. All other terms of the Court's order signed November 17, 2006, entering the parties' Agreed Preliminary Injunction, Order Freezing Assets, Order Requiring an Accounting and Order Requiring Preservation of Documents shall remain in full force and effect unless specifically modified by the Court.

Signed at 1:20 o'clock p.m. CST this 12<sup>th</sup> day of July, 2007.

  
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JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

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