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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

CMKM DIAMONDS, INC., URBAN
CASAVANT, JOHN EDWARDS,
GINGER GUTIERREZ, JAMES
KINNEY, ANTHONY TOMASSO,
KATHLEEN TOMASSO, 1ST
GLOBAL STOCK TRANSFER LLC,
HELEN BAGLEY, NEVWEST
SECURITIES CORPORATION,
DARYL ANDERSON, SERGEY
RUMYANTSEV, ANTHONY
SANTOS, and BRIAN DVORAK,

Defendants.

Case No. 2:08-cv-00437-LRH-RJJ

**FINAL JUDGMENT
OF PERMANENT INJUNCTION
AGAINST DEFENDANT CMKM
DIAMONDS, INC.**

1 Plaintiff Securities and Exchange Commission (“Commission”) having filed
2 a Complaint (“Complaint”) and Defendant CMKM Diamonds, Inc. (“CMKM”)
3 having waived service of a Summons and the Complaint; entered a general
4 appearance; consented to the Court’s jurisdiction over CMKM and the subject
5 matter of this action; consented to entry of this Final Judgment without admitting
6 or denying the allegations of the Complaint (except as to jurisdiction); waived
7 findings of fact and conclusions of law; and waived any right to appeal from this
8 Final Judgment:

9 **I.**

10 IT IS ORDERED, ADJUDGED, AND DECREED that CMKM and its
11 agents, servants, employees, attorneys, and all persons in active concert or
12 participation with them who receive actual notice of this Final Judgment by
13 personal service or otherwise are permanently restrained and enjoined from
14 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
15 1934 (“Exchange Act”), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated
16 thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of
17 interstate commerce, or of the mails, or of any facility of any national securities
18 exchange, in connection with the purchase or sale of any security:

- 19 (a) to employ any device, scheme, or artifice to defraud;
- 20 (b) to make any untrue statement of a material fact or to omit to state a
21 material fact necessary in order to make the statements made, in the
22 light of the circumstances under which they were made, not
23 misleading; or
- 24 (c) to engage in any act, practice, or course of business which operates or
25 would operate as a fraud or deceit upon any person.

26 **II.**

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that CMKM
28 and its agents, servants, employees, attorneys, and all persons in active concert or

1 participation with them who receive actual notice of this Final Judgment by
2 personal service or otherwise are permanently restrained and enjoined from
3 violating Section 5 of the Securities Act, 15 U.S.C. § 77e, by, directly or indirectly,
4 in the absence of any applicable exemption:

5 (a) Unless a registration statement is in effect as to a security, making use
6 of any means or instruments of transportation or communication in
7 interstate commerce or of the mails to sell such security through the
8 use or medium of any prospectus or otherwise;

9 (b) Unless a registration statement is in effect as to a security, carrying or
10 causing to be carried through the mails or in interstate commerce, by
11 any means or instruments of transportation, any such security for the
12 purpose of sale or for delivery after sale; or

13 (c) Making use of any means or instruments of transportation or
14 communication in interstate commerce or of the mails to offer to sell
15 or offer to buy through the use or medium of any prospectus or
16 otherwise any security, unless a registration statement has been filed
17 with the Commission as to such security, or while the registration
18 statement is the subject of a refusal order or stop order or (prior to the
19 effective date of the registration statement) any public proceeding or
20 examination under Section 8 of the Securities Act, 15 U.S.C. § 77h.

21 **III.**

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that CMKM
23 and its agents, servants, employees, attorneys, and all persons in active concert or
24 participation with them who receive actual notice of this Final Judgment by
25 personal service or otherwise are permanently restrained and enjoined from
26 violating Section 13(b)(2)(A) of the Exchange Act, 15 U.S.C. § 78m(b)(2)(A), by
27 failing to make or keep books, records and accounts which, in reasonable detail,
28 accurately and fairly reflect its transactions and the disposition of its assets.

1 **IV.**

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that CMKM
3 and its agents, servants, employees, attorneys, and all persons in active concert or
4 participation with them who receive actual notice of this Final Judgment by
5 personal service or otherwise are permanently restrained and enjoined from
6 violating Section 13(b)(2)(B) of the Exchange Act, 15 U.S.C. § 78m(b)(2)(B), by
7 failing to devise and maintain a system of internal accounting controls sufficient to
8 provide reasonable assurances that (i) transactions are executed in accordance with
9 management's general or specific authorization; (ii) transactions are recorded as
10 necessary (I) to permit preparation of financial statements in conformity with
11 generally accepted accounting principles or any other criteria applicable to such
12 statements, and (II) to maintain accountability for assets; (iii) access to assets is
13 permitted only in accordance with management's general or specific authorization;
14 and (iv) the recorded accountability for assets is compared with the existing assets
15 at reasonable intervals and appropriate action is taken with respect to any
16 differences.

17 **V.**

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
19 Consent of Defendant CMKM Diamonds, Inc. to Entry of Final Judgment of
20 Permanent Injunction is incorporated herein with the same force and effect as if
21 fully set forth herein, and that CMKM shall comply with all of the undertakings
22 and agreements set forth therein.

23 **VI.**

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
25 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
26 of this Final Judgment.
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VII.

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

Dated: April 21, 2008



THE HONORABLE LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

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