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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Securities and Exchange Commission,)

No. CV 08-1464-PHX-NVW

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Plaintiff,)

**FINAL JUDGMENT AS TO DEFENDANT
RICHARD DABNEY**

11

vs.)

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Alliance Transcription Services, Inc., et)
al.,)

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Defendants.)

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Plaintiff's Motion for Summary Judgment having been granted by separate order
(doc. #91),

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I.

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

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(a) to employ any device, scheme, or artifice to defraud;

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1 (b) to make any untrue statement of a material fact or to omit to state a material
2 fact necessary in order to make the statements made, in the light of the
3 circumstances under which they were made, not misleading; or
4 (c) to engage in any act, practice, or course of business which operates or would
5 operate as a fraud or deceit upon any person.

6 II.

7 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
8 Defendant and Defendant's agents, servants, employees, attorneys, and all persons in
9 active concert or participation with them who receive actual notice of this Final Judgment
10 by personal service or otherwise are permanently restrained and enjoined from violating
11 Section 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the absence
12 of any applicable exemption:

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

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

21 (c) Making use of any means or instruments of transportation or communication in
22 interstate commerce or of the mails to offer to sell or offer to buy through the use
23 or medium of any prospectus or otherwise any security, unless a registration
24 statement has been filed with the Commission as to such security, or while the
25 registration statement is the subject of a refusal order or stop order or (prior to the
26 effective date of the registration statement) any public proceeding or examination
27 under Section 8 of the Securities Act [15 U.S.C. § 77h].

28 III.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to
2 Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant is prohibited,
3 for five years following the date of entry of this Final Judgment, from acting as an officer
4 or director of any issuer that has a class of securities registered pursuant to Section 12 of
5 the Exchange Act [15 U.S.C. § 78I] or that is required to file reports pursuant to Section
6 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

7 IV.

8 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
9 Defendant is barred, for five years following the date of entry of this Final Judgment,
10 from participating in an offering of penny stock, including engaging in activities with a
11 broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to
12 induce the purchase or sale of any penny stock. A penny stock is any equity security that
13 has a price of less than five dollars, except as provided in Rule 3a51-1 under the
14 Exchange Act [17 C.F.R. 240.3a51-1].

15 V.


16 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
17 Defendant is liable for disgorgement of \$315,940.74, representing profits gained as a
18 result of the conduct alleged in the Complaint, together with prejudgment interest thereon
19 in the amount of \$87,602.41 for a total of \$403,543.15. Defendant shall satisfy this
20 obligation by paying \$403,543.15 within ten business days to the Clerk of this Court,
21 together with a cover letter identifying Richard Dabney as a defendant in this action;
22 setting forth the title and civil action number of this action and the name of this Court;
23 and specifying that payment is made pursuant to this Final Judgment. Defendant shall
24 simultaneously transmit photocopies of such payment and letter to the Commission's
25 counsel in this action. By making this payment, Defendant relinquishes all legal and
26 equitable right, title, and interest in such funds, and no part of the funds shall be returned
27 to Defendant. The Clerk shall deposit the funds into an interest bearing account with the
28 Court Registry Investment System ("CRIS") or any other type of interest bearing account

1 that is utilized by the Court. These funds, together with any interest and income earned
2 thereon (collectively, the "Fund"), shall be held in the interest bearing account until
3 further order of the Court in accordance with 28 U.S.C. § 1914 and the guidelines set by
4 the Director of the Administrative Office of the United States Courts, the Clerk is
5 directed, without further order of this Court, to deduct from the income earned on the
6 money in the Fund a fee equal to ten percent of the income earned on the Fund. Such fee
7 shall not exceed that authorized by the Judicial Conference of the United States. The
8 Commission may propose a plan to distribute the Fund subject to the Court's approval.
9 Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28
10 U.S.C . § 1961.

11 VI.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant
13 shall pay a civil penalty in the amount of \$130,000.00 pursuant to Section 21(d) of the
14 Exchange Act [5 U.S.C. § 78u(d)]. Defendant shall make this payment within ten (10)
15 business days after entry of this Final Judgment by certified check, bank cashier's check,
16 or United States postal money order payable to the Securities and Exchange Commission.
17 The payment shall be delivered or mailed to the Office of Financial Management,
18 Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail
19 Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying
20 Richard Dabney as a defendant in this action; setting forth the title and civil action
21 number of this action and the name of this Court; and specifying that payment is made
22 pursuant to this Final Judgment. Defendant shall pay post-judgment interest on any
23 delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission shall remit the funds
24 paid pursuant to this paragraph to the United States Treasury.

25 DATED: this 8th day of February, 2010.

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Neil V. Wake
United States District Judge