

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 08-61518-CIV-SEITZ/O'SULLIVAN

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

NORMAN STUMACHER,

Defendant.

FINAL JUDGMENT AS TO DEFENDANT NORMAN STUMACHER

Plaintiff, Securities and Exchange Commission, having filed a Complaint seeking disgorgement, prejudgment interest, and a civil penalty against Defendant, Norman Stumacher (“Stumacher”); and Stumacher, by Consent [DE-3], having: entered a general appearance; consented to the Court’s jurisdiction over him and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to subject matter and personal jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment; and the Court having accepted such Consent and having jurisdiction over Stumacher and the subject matter of this action:

I.

DISGORGEMENT, PREJUDGMENT INTEREST, AND CIVIL PENALTY

IT IS HEREBY ORDERED AND ADJUDGED that Stumacher is liable for disgorgement of \$25,000, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$8,749.11, and a civil penalty in the amount of \$20,000 pursuant to Section 21(d)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u(d)(3). Stumacher shall satisfy this obligation by paying \$53,749.11 pursuant to the terms of the payment schedule set forth in Section II below by certified check, bank cashier’s check, or

United States postal money order payable to the Securities and Exchange Commission. Each payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Stumacher as a defendant in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Final Judgment. Stumacher shall send a copy of the letter and payment form for each payment to Teresa J. Verges, Assistant Regional Director, Securities and Exchange Commission, 801 Brickell Avenue, Suite 1800, Miami, FL 33131. Stumacher shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States Treasury.

Stumacher shall not seek or accept, directly or indirectly, reimbursement or indemnification from any source, including but not limited to payment made pursuant to any insurance policy, with regard to any civil penalty amount he pays pursuant to this Final Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors. Stumacher further shall not claim, assert, or apply for tax deduction or tax credit with regard to any federal, state, or local tax for any penalty amounts he pays pursuant to this Final Judgment, regardless of whether such penalty amounts or any part thereof are added to a distribution fund or otherwise used for the benefit of investors.

II.

PAYMENT PLAN

IT IS FURTHER ORDERED AND ADJUDGED that Stumacher shall pay \$53,749.11 in five installments according to the following schedule: (1) \$15,000, within ten days of entry of this Final Judgment plus post-judgment interest pursuant to 28 U.S.C. § 1961; (2) \$9,687.27, within 90 days of entry of this Final Judgment plus post-judgment interest pursuant to 28 U.S.C. §

1961; (3) \$9,687.28, within 180 days of entry of this Final Judgment plus post-judgment interest pursuant to 28 U.S.C. § 1961; (4) \$9,687.28, within 270 days of entry of this Final Judgment plus post-judgment interest pursuant to 28 U.S.C. § 1961; and (5) \$9,687.28, within 365 days of entry of this Final Judgment plus post-judgment interest pursuant to 28 U.S.C. § 1961.

If Stumacher fails to make any payment by the date agreed and/or in the amount agreed according to the schedule set forth above, all outstanding payments under this Final Judgment, including post-judgment interest, shall become due and payable immediately without further application to the Court.

III.

INCORPORATION OF CONSENT


IT IS FURTHER ORDERED AND ADJUDGED that the Consent is incorporated into this Final Judgment with the same force and effect as if fully set forth herein, and that Stumacher shall comply with all of the undertakings and agreements set forth therein.

IV.

CLOSURE & RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk is directed to CLOSE this case. The Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

DONE AND ORDERED in Chambers in Miami, Florida, this 29th day of September, 2008.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: All counsel of Record
Defendant