

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	
)	Case No. 1:10-cv-06266
v.)	
)	Judge Robert M. Dow, Jr.
REX C. STEFFES, et. al.,)	
)	
Defendants.)	

**PLAINTIFF’S AMENDED AGREED MOTION
FOR THE ENTRY OF FINAL JUDGMENT
AGAINST DEFENDANT W. GARY GRIFFITHS**

By agreement of the parties, and pursuant to Rule 58(d) of the Federal Rules of Civil Procedure, Plaintiff, the U.S. Securities and Exchange Commission (“the Commission”), respectfully requests that this Court enter a final judgment against Defendant W. Gary Griffiths in the form attached hereto as Exhibit 1.

1. On September 30, 2010, the Commission filed this civil enforcement action against Defendant W. Gary Griffiths and others, alleging that the defendants had engaged in insider trading, in the securities of Florida East Coast Industries, Inc., in violation of federal law. (See Docket No. 1) That same day, the Commission also filed an agreed motion for the entry of judgment against Defendant Robert J. Steffes. (Docket No. 6)

2. The remaining defendants moved to dismiss the Commission’s complaint. (Docket Nos. 29 and 36) The Court denied these motions in a written opinion on August 3, 2011. (Docket No. 79) On August 22, 2011, the Defendants filed answers denying that they had engaged in the conduct alleged by the Commission. (Docket Nos. 84 and 85)

3. On December 19, 2011, counsel for the Commission filed a Notice of Potential Settlement with Defendant W. Gary Griffiths, advising the Court that a proposed settlement with Mr. Griffiths would be submitted to the Commission for review and consideration. (Docket No. 101) The Commission now has approved the proposed settlement with Mr. Griffiths.

4. Defendant W. Gary Griffiths has agreed to resolve the Commission's claims in this matter by the entry of a final judgment which: (a) permanently enjoins him from violating Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5; and (b) requires him to pay a civil penalty of \$120,000. (*See* Exhibit 2, Consent of W. Gary Griffiths at ¶ 2(a) – (b).)

5. The Commission's proposed order of judgment against W. Gary Griffiths has been reviewed and approved by Mr. Griffiths and his counsel. (*See* Exhibit 1)

6. Accordingly, the Commission respectfully requests that this Court enter the proposed order of Final Judgment as to Defendant W. Gary Griffiths.

7. The Commission's case against the other Defendants will continue.

Dated: March 23, 2012.

Respectfully submitted,

/s/Robert M. Moye

Robert M. Moye (MoyeR@sec.gov)

Steven C. Seeger (SeegerS@sec.gov)

Scott B. Tandy (TandyS@sec.gov)

U.S. Securities and Exchange Commission

Chicago Regional Office

175 West Jackson Boulevard, Suite 900

Chicago, IL 60604-2615

(312) 353-7390

(312) 353-7398 (fax)

*Attorneys for Plaintiff, the U.S. Securities and
Exchange Commission*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 23, 2012 a copy of the foregoing **Plaintiff's Amended Agreed Motion for the Entry of Final Judgment against Defendant W. Gary Griffiths** has been served upon all counsel of record via the Court's ECF system:

/s/Robert M. Moya

Robert M. Moya