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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9
10 SECURITIES AND EXCHANGE
COMMISSION,

11 Plaintiff,

12 vs.

13 GLOBAL EXPRESS CAPITAL REAL
14 ESTATE INVESTMENT FUND I, LLC;
15 GLOBAL EXPRESS CAPITAL
16 MORTGAGE CORP.; GLOBAL
EXPRESS SECURITIES, INC.;
CONNIE S. FARRIS; and DAWN M.
REESE,

17 Defendants.

Case No. CV-S-03-1514-KJD-LRL

**FINAL JUDGMENT
AGAINST DEFENDANT GLOBAL
EXPRESS SECURITIES, INC.**

19 Plaintiff Securities and Exchange Commission (“SEC”) having filed a
20 Complaint and Defendant Global Express Securities, Inc. (“Defendant”), through
21 its Court-appointed permanent receiver, having entered a general appearance;
22 consented to the Court’s jurisdiction over Defendant and the subject matter of this
23 action; consented to entry of this Final Judgment; waived findings of fact and
24 conclusions of law; and waived any right to appeal from this Final Judgment:
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I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (“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:

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

(b) to make any untrue statement of a material fact or to 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; or

(c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

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II.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or

1 communication in interstate commerce or by use of the mails, directly or
2 indirectly:

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

4 (b) to obtain money or property by means of any untrue statement of a
5 material fact or any omission of a material fact necessary in order to make the
6 statements made, in light of the circumstances under which they were made, not
7 misleading; or

8 (c) to engage in any transaction, practice, or course of business which
9 operates or would operate as a fraud or deceit upon the purchaser.

10 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
11 that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing
12 paragraph also binds the following who receive actual notice of this Final
13 Judgment by personal service or otherwise: (a) Defendant's officers, agents,
14 servants, employees, and attorneys; and (b) other persons in active concert or
15 participation with Defendant or with anyone described in (a).

16 **III.**

17 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
18 is permanently restrained and enjoined from violating Section 15(c) of the
19 Exchange Act [15 U.S.C. § 78j(b)] by, while acting as a broker or dealer, directly
20 or indirectly, in the purchase or sale of a security, by use of means or
21 instrumentalities of interstate commerce, or of the mails, or of the facilities of any
22 national securities exchange, with scienter:

23 (a) to employ any manipulative, deceptive, or other fraudulent device or
24 contrivance;

1 (b) to make any untrue statement of a material fact or omit to state a
2 material 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
5 would operate as a fraud or deceit upon any person.

6 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
7 that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing
8 paragraph also binds the following who receive actual notice of this Final
9 Judgment by personal service or otherwise: (a) Defendant's officers, agents,
10 servants, employees, and attorneys; and (b) other persons in active concert or
11 participation with Defendant or with anyone described in (a).

12 **IV.**

13 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
14 that Defendant is liable, jointly and severally with defendants Global Express
15 Capital Real Estate Investment Fund I, LLC and Global Express Capital Mortgage
16 Corp. for disgorgement of \$49,072,239, representing profits gained as a result of
17 the conduct alleged in the complaint, together with prejudgment interest thereon in
18 the amount of \$37,804,838, for a total of \$86,877,077, which shall be deemed
19 satisfied as to this Defendant by the amount of \$16,986,217, collected by the
20 receiver appointed over Defendant in this matter.

21 **V.**

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
23 that the SEC has determined to forgo seeking a civil penalty against Defendant,
24 and the claims for a civil penalty against Defendant are hereby DISMISSED.

1 **VI.**

2 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
3 that the Consent of Defendant Global Express Securities, Inc. to Entry of Final
4 Judgment is incorporated herein with the same force and effect as if fully set forth
5 herein, and that Defendant shall comply with all of the undertakings and
6 agreements set forth therein.

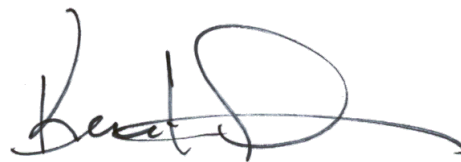
7 **VII.**

8 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
9 that this Court shall retain jurisdiction of this matter for the purposes of enforcing
10 the terms of this Final Judgment.

11 **VIII.**

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

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16 Dated: February 13, 2017



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18 HONORABLE KENT J. DAWSON
19 UNITED STATES DISTRICT JUDGE
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