

1 DAVID J. VAN HAVERMAAT (Cal Bar No. 175761)  
 Email: vanhavermaatd@sec.gov

2 Attorneys for Plaintiff  
 3 Securities and Exchange Commission  
 Michele Wein Layne, Regional Director  
 4 John W. Berry, Regional Trial Counsel  
 444 S. Flower St., Suite 900  
 5 Los Angeles, California 90071  
 Telephone: (323) 965-3998  
 6 Facsimile: (213) 443-1904

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

10 SECURITIES AND EXCHANGE  
 COMMISSION,

11 Plaintiff,

12 vs.

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

17 Defendants.

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

**FINAL JUDGMENT  
 AGAINST DEFENDANT GLOBAL  
 EXPRESS CAPITAL REAL ESTATE  
 INVESTMENT FUND I, LLC**

19 Plaintiff Securities and Exchange Commission (“SEC”) having filed a  
 20 Complaint and Defendant Global Express Capital Real Estate Investment Fund I,  
 21 LLC (“Defendant”), through its Court-appointed permanent receiver, having  
 22 entered a general appearance; consented to the Court’s jurisdiction over Defendant  
 23 and the subject matter of this action; consented to entry of this Final Judgment;  
 24 waived findings of fact and conclusions of law; and waived any right to appeal  
 25 from this Final Judgment:  
 26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

**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).

22  
23  
24  
25  
26

**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 FURTHER ORDERED, ADJUDGED, AND DECREED**  
18 that Defendant is permanently restrained and enjoined from filing with the SEC  
19 materially false and misleading periodic reports in violation of Section 15(d) of the  
20 Exchange Act [15 U.S.C. § 78o(d)] and Rules 12b-20 and 15d-13 thereunder [17  
21 C.F.R. §§ 240.12b-20 and 240.15d-13].

22 **IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED**  
23 that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing  
24 paragraph also binds the following who receive actual notice of this Final  
25 Judgment by personal service or otherwise: (a) Defendant's officers, agents,  
26

1 servants, employees, and attorneys; and (b) other persons in active concert or  
2 participation with Defendant or with anyone described in (a).

3 **IV.**

4 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
5 that Defendant is liable, jointly and severally with defendants Global Express  
6 Capital Mortgage Corp. and Global Express Securities, Inc. for disgorgement of  
7 \$49,072,239, representing profits gained as a result of the conduct alleged in the  
8 complaint, together with prejudgment interest thereon in the amount of  
9 \$37,804,838, for a total of \$86,877,077, which shall be deemed satisfied as to this  
10 Defendant by the amount of \$16,986,217, collected by the receiver appointed over  
11 Defendant in this matter.

12 **V.**

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

16 **VI.**

17 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED  
18 that the Consent of Defendant Global Express Capital Real Estate Investment Fund  
19 I, LLC to Entry of Final Judgment is incorporated herein with the same force and  
20 effect as if fully set forth herein, and that Defendant shall comply with all of the  
21 undertakings and agreements set forth therein.

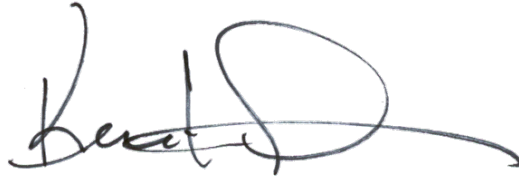
22 **VII.**

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

**VIII.**

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: February 13, 2017



---

HONORABLE KENT J. DAWSON  
UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26