

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 06-20975-CIV-HUCK/SIMONTON**

SECURITIES AND EXCHANGE COMMISSION,  
Plaintiff,

v.

JOHN UTSICK, et al.,  
Defendants,

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**FINAL JUDGMENT SETTING DISGORGEMENT AND PREJUDGMENT INTEREST  
AND IMPOSING A CIVIL PENALTY AGAINST DEFENDANT JOHN P. UTSICK**

THIS MATTER is before the Court pursuant to the Plaintiff's Motion for a Final Judgment Ordering Disgorgement, Prejudgment Interest, and a Civil Penalty against Defendant John P. Utsick (D.E. 283). As discussed in detail in the Court's Findings of Fact, Conclusions of Law, and Final Judgment Ordering Disgorgement, Prejudgment Interest, and a Civil Penalty against Defendant John P. Utsick (D.E. 541), the motion has been fully briefed by both parties and the Court held an evidentiary hearing. Accordingly:

IT IS ORDERED AND ADJUDGED that Utsick shall pay disgorgement of \$4,035,479.31, representing his ill-gotten gains as a result of the conduct alleged in the complaint.

IT IS FURTHER ORDERED AND ADJUDGED that Utsick shall pay prejudgment interest on disgorgement of \$921,708.84.

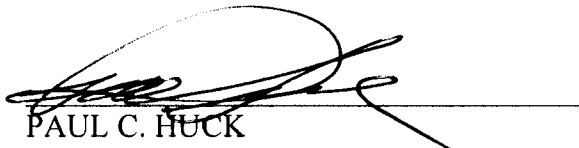
IT IS FURTHER ORDERED AND ADJUDGED that Utsick shall pay a civil money penalty of \$120,000 pursuant to Section 20(d) of the Securities Act of 1933 and Section 21(d)(3) of the Securities Exchange Act of 1934.

IT IS FURTHER ORDERED AND ADJUDGED that a Final Judgment is entered against Defendant John P. Utsick in the amount of \$5,077,188.15, representing the total of disgorgement, prejudgment interest, and the civil penalty, for which let execution issue. Utsick shall pay post-judgment interest beginning 30 days after the date of this order at the applicable statutory rate.

IT IS FURTHER ORDERED AND ADJUDGED that Utsick shall pay the Final Judgment within thirty (30) days to the Registry of this Court by cashier's check, certified check, or postal money order, under cover of a letter that identifies the name and number of this action and includes a copy of this Final Judgment, with a copy to Robert K. Levenson, Esq., Securities and Exchange Commission, 801 Brickell Avenue, Suite 1800, Miami, Florida, 33131.

IT IS FURTHER ORDERED AND ADJUDGED that there being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk of the Court is ordered to enter this Final Judgment forthwith and without further notice.

DONE AND ORDERED in Chambers in Miami, Florida this May 21, 2009.

  
PAUL C. HUCK  
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record