189180

ALAN G. LANCE
Attorney General

A. RENÉ MARTIN
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
Telephone: (208) 332-8092
Facsimile: (208) 332-8099
Idaho State Bar # 3188

Instrument # 189180
WEISER, WASHINGTON, IDAHO
2003-04-03 08:40:00 No. of Pages: 5
Recorded for : A. RENE' MARTIN
SHARON WIDNER Fee: 0.00
Ex-Officio Recorder Deputy Lisa McKnight
Index to: ABSTRACT OF JUDGMENT

Filed MAY 21 2002
SHARON WIDNER 3:45 P. M.
Clerk District Court
By /s/ Jeanette Anderson Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR WASHINGTON COUNTY

STATE OF IDAHO, DEPARTMENT OF FINANCE, SECURITIES BUREAU, Plaintiff, vs. ELLIS G. MARTIN, Defendant.	Case No. CV 01-00405 **SECOND AMENDED JUDGMENT**

The Department of Finance, State of Idaho, appearing through its counsel, A. René Martin, and Ellis G. Martin, Defendant herein, appearing through his counsel, Lary C. Walker, having stipulated and agreed to the entry of an Amended Judgment in the above-captioned action, and good cause appearing therefor,

NOW, THEREFORE, THE COURT HEREBY FINDS that Defendant Ellis G. Martin has violated the Idaho Securities Act as alleged in the Complaint filed in this matter.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

INJUNCTIVE RELIEF:

Defendant Ellis G. Martin is permanently enjoined from engaging in any acts, practices, or omissions which would constitute violations of the Idaho Securities Act, Title 30, Chapter 14, Idaho Code, and in particular, said Defendant is permanently enjoined from:

A. Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as the securities have been registered with the Idaho Department of Finance in accordance with Title 30, Chapter 14, Idaho Code;

B. Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as the Defendant has registered as a broker-dealer or salesman for a broker-dealer or issuer with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;

C. While engaged in or in connection with the offer, sale or purchase of any security:

(1) Employing any device, scheme or artifice to defraud any investors or prospective investors;

(2) Making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading;

(3) Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person; and

(4) Aiding, abetting, counseling, inducing or causing any other person to engage in any of the types of conduct described in paragraphs C(1), C(2), or C(3) above.

Defendant Ellis G. Martin is further prohibited from claiming the availability of, using or offering or selling securities under any exemptions set forth in the Idaho Securities Act without receiving the prior written consent of the Director of the Department of Finance, State of Idaho.

MONEY JUDGMENT:

The Plaintiff is hereby awarded a money judgment in the total amount of $560,183.00 against Defendant Ellis G. Martin, which amount reflects restitution pursuant to Idaho Code § 30-1442(3)(a) for the victims of the Defendant's violations of the Idaho Securities Act as alleged in the Complaint filed in this action.

Pursuant to agreement between the parties, no attorney fees or costs incurred in the preparation or prosecution of this action and reimbursement for investigative efforts are awarded. Further, pursuant to said agreement, no civil penalties are awarded against the Defendant in this matter.

Post-judgment interest shall accrue pursuant to the statutory rate set by Idaho law.

DATED this 21st day of May, 2002, *nunc pro tunc* to October 17, 2001.

/s/ Stephen W. Drescher
Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 21st day of May, 2002, I served a true and correct copy of the foregoing SECOND AMENDED JUDGMENT by depositing the same in the United States Mail, postage pre-paid, in an envelope addressed to:

A. René Martin
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

Lary C. Walker
232 East Main Street
P.O. Box 828
Weiser, ID 83672

/s/ Jeanette Anderson
Deputy Clerk