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DISTRICT COURT
7TH JUDICIAL DISTRICT
BONNEVILLE COUNTY ID

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR BONNEVILLE COUNTY

STATE OF IDAHO, DEPARTMENT OF FINANCE, SECURITIES BUREAU, Plaintiff, vs. BEVERLY RAE BOWEN, JOHN ALFRED LOWDEN, KEVIN KRUGER SUTTON, and NGS TRUST, Defendants.	Civil No. CV-01-2070 **JUDGMENT AGAINST BEVERLY RAE BOWEN**

This matter came before the court on the Plaintiff's motion for summary judgment, seeking judgment against Defendants Beverly Rae Bowen, ~~and John Alfred Sutton~~ LSA. A hearing was held on the motion on May 16, 2002. The court issued its Memorandum Decision Re: Plaintiff's Motion for Summary Judgment on June 24, 2002. Pursuant to the findings and conclusions set forth in that memorandum decision, the court hereby enters judgment as follows:

COPY

THE COURT HEREBY FINDS that Defendant Beverly Rae Bowen violated § 30-1416 of the Idaho Securities Act (the Act) by selling unregistered securities to Idaho investors, which securities did not qualify for an exemption pursuant to the Act; that Defendant Bowen violated § 30-1406(1) of the Act by transacting securities business in Idaho without being registered as a securities broker-dealer or salesman under the Act; that Defendant Bowen violated § 30-1403(2) of the Act by misrepresenting and/or omitting material facts in connection with the sale of a security; and that Defendant Bowen violated § 30-1403(3) of the Act by engaging in an act, practice or course of business which operated as a fraud or deceit upon Idaho residents.

NOW, THEREFORE, the Court ORDERS, ADJUDGES AND DECREES, as follows:

INJUNCTIVE RELIEF:

Defendant Beverly Rae Bowen 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, 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 she has registered with the Idaho Department of Finance as a broker-dealer or salesman for a broker-dealer or issuer, 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 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;

(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 Beverly Rae Bowen is further prohibited from claiming the availability of, using or offering or selling securities under any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director of the Idaho Department of Finance.

MONEY JUDGMENT

The Plaintiff is hereby awarded a money judgment against Defendant Beverly Rae Bowen in the total amount of $84,200, which includes $34,200 as restitution for the victims of Defendant Bowen's violations of the Idaho Securities Act, pursuant to Idaho Code § 30-

1442(3)(a), and $50,000 as a civil penalty pursuant to Idaho Code § 30-1442(3)(b) for five (5) counts of violation of the Idaho Securities Act as set forth in the Plaintiff's Complaint.

DATED this 5th day of July, 2002.

Gregory S. Anderson
District Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 8th day of July, 2002, I served a true and correct copy of the JUDGMENT AGAINST BEVERLY RAE BOWEN by depositing the same in the United States mail, postage pre-paid, in an envelope addressed to:

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