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DISTRICT COURT
7TH JUDICIAL DISTRICT
BONNEVILLE COUNTY ID

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COPY

STATE OF IDAHO)
County of Bonneville) SS
I HEREBY CERTIFY that above and foregoing is a full and correct copy of the original thereof, on file in my office.
Dated February 19 2002
RONALD LONGMORE
Clerk of the District Court
By TBC
Deputy Clerk

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 NGS TRUST AND KEVIN KRUGER SUTTON**

The Defendant having been duly served with process and having failed to appear and plead to or answer Plaintiff's Complaint filed herein in the manner required by law, and the legal time for answering having expired;

NOW, THEREFORE, THE COURT HEREBY FINDS that Defendants NGS Trust and Kevin Kruger Sutton have violated the Idaho Securities Act, and ORDERS, ADJUDGES AND DECREES, as follows:

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INJUNCTIVE RELIEF

Defendants NGS Trust and Kevin Kruger Sutton are 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, they are 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 Defendant have 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;

(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 NGS Trust and Kevin Kruger Sutton are 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 Department of Finance.

MONEY JUDGMENT

The Plaintiff is hereby awarded a money judgment against Defendants NGS Trust and Kevin Kruger Sutton in the total amount of $87, 750, which includes $32,750 in restitution for the victims of the Defendants' violations of the Idaho Securities Act, pursuant to Idaho Code § 30-1442(3)(a); $50,00 as a civil penalty pursuant to Idaho Code § 1442(3)(b); for five (5) counts of violation of the Idaho Securities Act as set forth in Plaintiff's Complaint; and $5,000 in attorney fees and costs incurred in the preparation and prosecution of this action and reimbursement for investigative efforts, pursuant to Idaho Code § 30-1442(3)(c).

DATED this 25th day of January, 2002.

Gregory S. Anderson
District Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 25th day of January, 2002, I served a true and correct copy of the JUDGMENT AGAINST NGS TRUST and KEVIN KRUGER SUTTON by depositing the same in the United States mail, postage pre-paid, in an envelope addressed to:

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TBC
DEPUTY CLERK