ALAN G. LANCE
ATTORNEY GENERAL
STATE OF IDAHO

Scott B. Muir
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, ID83720-0031
Telephone: (208) 332-8091
Facsimile: (208) 332-8099

COPY
NO. FILED
A.M. P.M.
JUN 2 4 1999
J. DAVID NAVARRO, Clerk
By JENNIFER DOWNING
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO, Department of Finance, Plaintiff, vs. DEVIN JOHN SMITH, an individual, Defendant.	Civil No. CV OC 9900472D **JUDGMENT AND PERMANENT INJUNCTION**

It appearing to the Court that the Defendant in the Stipulation for Judgment and Permanent Injunction filed with the Court, has admitted that the Complaint states a cause of action for injunctive and other relief under the Idaho Securities Act. Defendant neither admits nor denies that he violated the Idaho Securities Act as set forth in the Stipulation for Judgment and Permanent Injunction, and has agreed and consented to the entry of judgment granting a permanent injunction against him, along with other relief, and has

waived the necessity of findings of fact and conclusions of law with respect thereto, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. Defendant is permanently enjoined from engaging in any acts, practices or omissions which would constitute violations of the Idaho Securities Act, 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 such securities have been registered with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;

B. Transacting securities business in the State of Idaho until such time as Defendant has become 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,

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

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

D. Aiding, abetting, counseling, inducing or causing any other person to engage in any of the types of conduct described in paragraphs A, B, and C above.

E. Defendant is prohibited from claiming the availability of, using, or offering to sell securities under, any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director.

2. Defendant is prohibited from claiming the availability of, using, or offering to sell securities under, any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director.

3. Defendant shall restore to each person in interest any consideration which may have been acquired or transferred in violation of the Idaho Securities Act. This is to include payments made payable to Margaret White and delivered to the Idaho Department of Finance, 2nd Floor, 700 W. State Street, P.O. Box 83720, Boise, Idaho 83720-0031, as follows: $666.66 due August 1, 1999; $1,166.66 due October 1, 1999; $1,166,66 due January 1, 2000; $1,166.66 due April 1, 2000; $1,166.66 due July 1, 2000; and $1,666.70 due October 1, 2000.

4. This Judgment and Permanent Injunction shall serve as a final resolution of all issues presented in Plaintiff's Complaint.

DATED this 24 day of June, 1999.

KATHRYN A. STICKLEN

Honorable Kathryn A. Sticklen
District Judge