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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

CMKM DIAMONDS, INC., URBAN
CASAVANT, JOHN EDWARDS,
GINGER GUTIERREZ, JAMES
KINNEY, ANTHONY TOMASSO,
KATHLEEN TOMASSO, 1ST
GLOBAL STOCK TRANSFER LLC,
HELEN BAGLEY, NEVWEST
SECURITIES CORPORATION,
DARYL ANDERSON, SERGEY
RUMYANTSEV, ANTHONY
SANTOS, and BRIAN DVORAK,

Defendants.

Case No. 2:08-cv-00437-LRH-RJJ

**JUDGMENT
OF PERMANENT INJUNCTION
AND OTHER RELIEF AGAINST
DEFENDANT JOHN EDWARDS**

1 Plaintiff Securities and Exchange Commission (“Commission”) having filed
2 a Complaint (“Complaint”) and Defendant John Edwards (“Edwards”) having
3 waived service of a Summons and the Complaint; entered a general appearance;
4 consented to the Court’s jurisdiction over Edwards and the subject matter of this
5 action; consented to entry of this Judgment without admitting or denying the
6 allegations of the Complaint (except as to jurisdiction); waived findings of fact and
7 conclusions of law; and waived any right to appeal from this Judgment:

8 **I.**

9 IT IS ORDERED, ADJUDGED, AND DECREED that EDWARDS and his
10 agents, servants, employees, attorneys, and all persons in active concert or
11 participation with them who receive actual notice of this Judgment by personal
12 service or otherwise are permanently restrained and enjoined from violating
13 Section 5 of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77e, by,
14 directly or indirectly, in the absence of any applicable exemption:

- 15 (a) Unless a registration statement is in effect as to a security, making use
16 of any means or instruments of transportation or communication in
17 interstate commerce or of the mails to sell such security through the
18 use or medium of any prospectus or otherwise;
- 19 (b) Unless a registration statement is in effect as to a security, carrying or
20 causing to be carried through the mails or in interstate commerce, by
21 any means or instruments of transportation, any such security for the
22 purpose of sale or for delivery after sale; or
- 23 (c) Making use of any means or instruments of transportation or
24 communication in interstate commerce or of the mails to offer to sell
25 or offer to buy through the use or medium of any prospectus or
26 otherwise any security, unless a registration statement has been filed
27 with the Commission as to such security, or while the registration
28 statement is the subject of a refusal order or stop order or (prior to the

1 effective date of the registration statement) any public proceeding or
2 examination under Section 8 of the Securities Act, 15 U.S.C. § 77h.

3 **II.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Edwards
5 is permanently and unconditionally bared from participation in any offering of
6 penny stock, including engaging in activities with a broker, dealer, or issuer for
7 purposes of issuing, trading, or inducing or attempting to induce the purchase or
8 sale of any penny stock. A penny stock is any equity security that has a price of
9 less than five dollars, except as provided in Rule 3a51-1 under the Securities
10 Exchange Act of 1934, 17 C.F.R. 240.3a51-1.

11 **III.**

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Edwards
13 shall pay disgorgement of ill-gotten gains, prejudgment interest thereon, and a civil
14 penalty pursuant to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d). The
15 Court shall determine the amounts of the disgorgement and civil penalty upon
16 motion of the Securities and Exchange Commission (“Commission”).
17 Prejudgment interest shall be calculated pursuant to 28 U.S.C. § 1961 from
18 March 5, 2003. In connection with the Commission’s motion for disgorgement
19 and/or civil penalties, and at any hearing held on such a motion: (a) Edwards will
20 be precluded from arguing that he did not violate the federal securities laws as
21 alleged in the Complaint; (b) Edwards may not challenge the validity of this
22 Consent or the Judgment; (c) solely for the purposes of such motion, the
23 allegations of the Complaint shall be accepted as and deemed true by the Court;
24 and (d) the Court may determine the issues raised in the motion on the basis of
25 affidavits, declarations, excerpts of sworn deposition or investigative testimony,
26 and documentary evidence, without regard to the standards for summary judgment
27 contained in Rule 56(c) of the Federal Rules of Civil Procedure. In connection
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1 with the Commission's motion for disgorgement and/or civil penalties, the parties
2 may take discovery, including discovery from appropriate non-parties.

3 **IV.**

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
5 provisions of the Consent filed concurrently with this Judgment are incorporated
6 herein with the same force and effect as if fully set forth herein, and that Edwards
7 shall comply with all of the undertakings and agreements set forth therein.

8 **V.**

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this
10 Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
11 of this Judgment.

12 **VI.**

13 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
14 Rules of Civil Procedure, the Clerk is ordered to enter this Judgment forthwith and
15 without further notice.

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18 Dated: May 20, 2008



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21 THE HONORABLE LARRY R. HICKS
22 UNITED STATES DISTRICT JUDGE
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