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CANYON COUNTY CLERK
J VASKO, DEPUTY

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR CANYON COUNTY**

STATE OF IDAHO, DEPARTMENT OF
FINANCE, SECURITIES BUREAU,

Plaintiff,

vs.

BCM ENTERPRISES, LLC, and GLENN
B. HENZLER, an individual and dba
BCM ENTERPRISES,

Defendants.

Case No. CV07-4812

**STIPULATION AND CONSENT TO ENTRY
OF JUDGMENT**

The Department of Finance, State of Idaho, Securities Bureau ("Department") and Defendants BCM Enterprises, LLC, ("BCM") and Glenn B. Henzler, ("Henzler") have agreed to entry of judgment against BCM and Henzler, pursuant to the following Stipulation. The Department and Henzler request this Court to enter judgment in the form and substance set forth in the Judgment and Permanent Injunction filed concurrently herewith. In the event that the Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever, and the making of this Stipulation shall be without prejudice to any party in this or any

other proceeding. By signing and entering into this Stipulation, Henzler waives his right to a hearing and/or trial on the alleged violations in the Complaint.

STIPULATION

The Department and Henzler hereby stipulate and agree to the following terms and conditions.

1. Henzler neither admits nor denies the allegations set forth in Counts One through Four, paragraphs 34 through 50, of the Verified Complaint filed in this action.

2. Pursuant to Idaho Code § 30-14-603, Defendant Henzler agrees to the following.

A. To timely cooperate with the Department's reasonable requests for information and documentation to establish full restitution to all Idaho investors.

B. To pay to the Department no later than August 31, 2008 the amount of one hundred thirty three thousand dollars (\$133,000.00), subject to paragraph 3.E. below, which the Department will provide to investors as restitution. Interest will accrue on the restitution amount at the rate set by Idaho Code § 28-22-104, beginning the date of entry of judgment.

C. That failure to timely cooperate with such reasonable requests, or failure to pay one hundred thirty three thousand dollars (\$133,000.00), subject to paragraph 3.E. below, plus accrued interest, to the Department by August 31, 2008, will be considered a violation of this Stipulation and the agreements contained herein, will render the Department's agreements hereunder void, including the covenant not to execute, and will allow the Department to proceed to execute on the Judgment.

D. That Henzler consents to the Court's entry against him of the judgment filed concurrently herewith, including the injunction sought by the Department in paragraph 2 of the Prayer for Relief in the Verified Complaint filed in this action.

E. To pay the Department the amount of \$40,000 as penalties, pursuant to Idaho Code § 30-14-603(b)(2)(C). Such penalties will be suspended and/or waived according to paragraph 3.C. below, unless Henzler violates the terms of this stipulation and the judgment.

F. Henzler agrees to bear his own attorney fees and costs in this action.

3. The Department agrees to the following.

A. That it will dismiss the present litigation with prejudice and not pursue Counts One through Four in any administrative or civil action against defendants BCM and Glenn Henzler, nor against Stacy Henzler, so long as Henzler complies with the terms of this Stipulation and the Judgment.

B. The Department agrees and covenants not to execute on the Judgment so long as Henzler complies with all terms of this Stipulation and the Judgment.

C. The Department will suspend the penalties of paragraph 2.E. above until August 31, 2008. If Defendant Henzler has paid the Department the amount of one hundred thirty three thousand dollars (\$133,000.00) by August 31, 2008, the Department will waive the \$40,000 in penalties. The Department will waive accrued interest if the judgment amount is fully paid to the Department by August 31, 2008.

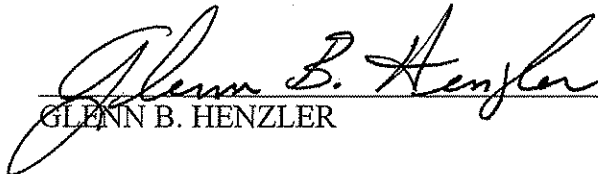
D. The Department will not issue a press release announcing the settlement or judgment nor contact the media in any fashion regarding the settlement of this disputed claim nor take any affirmative steps to inform the media regarding the settlement.

E. The Department will require any victim seeking a share of the restitution payment hereunder to execute a waiver and a covenant not to sue Glenn Henzler and BCM Enterprises for causes of action arising out of the investment described in Plaintiff's complaint. Victims who opt out by choosing not to execute such waiver and covenant will receive none of the funds paid

by Henzler to the Department for restitution, but they will preserve any independent cause of action they may have. For victims who opt out, the Department agrees to reduce, pro rata, the restitution amount Henzler will pay to the Department for restitution.

F. The Department agrees to forgo any claim for costs, attorney fees, and reimbursement for investigative efforts in this action pursuant to Idaho Code § 30-14-603(b)(2)(C) and also agrees to forgo any additional penalties against Henzler related to this action, so long as Henzler complies with all terms of this Stipulation and the Judgment. The Department may seek costs and fees as provided by rule or statute for enforcement of the Judgment, if such becomes necessary due to Henzler's failure to comply with the terms of this stipulation and the judgment.


DATED this 7th day of January, 2008.



GLENN B. HENZLER

APPROVED AS TO FORM AND CONTENT.

DATED this 7th day of January, 2008.



WHITE PETERSON
DENNIS WILKINSON
Counsel for GLENN B. HENZLER

DATED this 8th day of January, 2008.



MARILYN T. CHASTAIN,
Securities Bureau Chief
Idaho Department of Finance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14 day of Jan, 2008, I caused a true and accurate copy of the foregoing STIPULATION AND CONSENT TO ENTRY OF JUDGMENT to be served on the following by the designated means:

Dennis Wilkinson
White Peterson
5700 E. Franklin Rd., Ste 200
Nampa, ID 83687

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- hand delivery

Benea Ridgeway