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7TH JUDICIAL DISTRICT COURT
BONNEVILLE COUNTY, IDAHO

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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.

BROCK E. BRUEGEMAN, BRIAN J.
BIRCH, SONNY L. JENSEN, and
BRANDON JOHNSON,

Defendants.

Case No. CV 10-04032

**JUDGMENT AND PERMANENT
INJUNCTION AGAINST DEFENDANT
BRIAN BIRCH**

The State of Idaho, Department of Finance, Securities Bureau (Plaintiff) and Defendant Brian Birch (Defendant), parties to the above-captioned action, having agreed to resolve all allegations set forth in the Verified Complaint filed in the above-captioned action by the Stipulation and Consent to Entry of Judgment on file herein,

WHEREFORE, by virtue of the law and by reason of the premises aforesaid, THE COURT HEREBY ADJUDGES, ORDERS, AND DECREES as follows:

**I.
PERMANENT INJUNCTION**

1. Defendant is permanently enjoined from engaging in any act or practice that

violates any provision of Idaho's Uniform Securities Act (2004) or any rule promulgated thereunder, pursuant to authority granted this court by Idaho Code § 30-14-603(b)(1).

2. Defendant is permanently enjoined from selling or offering for sale securities in any form in the state of Idaho.

**II.
MONEY JUDGMENT**

1. Plaintiff is hereby awarded a money judgment against Defendant in the total amount of three hundred fourteen thousand five hundred eight dollars (\$314,508), to be paid according to terms of the Stipulation and Consent to Entry of Judgment executed by Defendant Birch and Plaintiff.

2. Such money judgment amount includes restitution in the amount of two hundred seventy four thousand five hundred eight dollars (\$274,508), which is to be paid to Plaintiff to be returned by Plaintiff as restitution to investors M.K., T.W., T.C., and B.L. identified in the Verified Complaint, pursuant to Idaho Code § 30-14-603(b)(2)(C). Defendant will be jointly and severally liable with any other defendants against whom judgment is obtained in this action for this portion of the judgment.

3. Such money judgment amount further includes penalties payable to Plaintiff by Defendant in the amount of forty thousand dollars (\$40,000) as authorized by Idaho Code § 30-14-603(2)(C).

4. Each party will bear its own attorney fees and costs in this action.

DATED this 10 day of August, 2010.

/s/ Jon J. Shindurling

District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11 day of August, 2010, I served a true and correct copy of the foregoing JUDGMENT AND PERMANENT INJUNCTION upon the following by the designated means:

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Clerk