

AUG 15 2011

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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR ADA COUNTY**

STATE OF IDAHO, DEPARTMENT OF
FINANCE, SECURITIES BUREAU,

Plaintiff,

vs.

DEREK F. C. ELLIOTT, JAMES B.
CATLEDGE, DAVID BRIMLEY, STEVE
CABEZUD, BARBARA NAGEL, JOHN
THOMSON, TREVOR WALKER, SUN
VILLAGE JUAN DOLIO ASSOCIATES,
LLC, IMPACT, INC., IMPACT NET
WORTH, LLC, NET WORTH
SOLUTIONS, JOHN DOE COMPANIES 1
through 25, and JOHN DOE
INDIVIDUALS A through H,

Defendants.

Case No. CV OC 09-03323

**JUDGMENT AND PERMANENT
INJUNCTION REGARDING
DEFENDANTS JAMES B. CATLEDGE,
IMPACT, INC., IMPACT NET WORTH,
LLC, AND NETWORTH SOLUTIONS**

THIS MATTER having come before the court on Plaintiff's Verified Complaint, it appears to the court that Defendants James B. Catledge, Impact, Inc., Impact Net Worth, LLC

and Networth Solutions (Defendants) were duly served with process. Defendants answered and defended, but failed to provide discovery as ordered by the Court, and as a sanction for that failure the Court struck Defendants' Answer and entered default, without objection by Defendants. It appears from Plaintiff's affidavit filed in this matter that Defendants are not in the military service of the United States or are incompetent, and that the allegations of Plaintiff's Verified Complaint are true, and that Plaintiff is entitled to judgment against Defendants as prayed for;

WHEREAS the Court finds that Defendants engaged in violations of Idaho's Uniform Securities Act (2004), Idaho Code § 30-14-101 *et seq.*, as described in the Verified Complaint;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff is entitled to judgment against Defendants as follows:

1. That Defendants are adjudged to have violated Idaho's Uniform Securities Act (2004), Idaho Code § 30-14-101 *et seq.*, as to Counts One through Four and Six of Plaintiff's Verified Complaint.

2. That Defendants are permanently enjoined from engaging in any act or practice violating any provision of Idaho's Uniform Securities Act (2004), pursuant to Idaho Code § 30-14-603(b)(1), and in particular, that they are permanently enjoined from:

a. Selling or offering for sale securities in any form in the state of Idaho;

b. In connection with the offer, sale or purchase of any security, directly or indirectly:

i. Employing any device, scheme, or artifice to defraud;

ii. 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;

iii. Engaging in any act, practice or course of business that operates or would operate as a fraud or deceit upon another person.

3. That Defendant James B. Catledge pay Plaintiff the amount of ten thousand dollars (\$10,000) for each violation, for a total of fifty thousand dollars (\$50,000), constituting civil penalties for violations of Idaho's Uniform Securities Act (2004), pursuant to Idaho Code § 30-14-603(b)(2)(C).

4. That Defendants Impact, Inc., Impact Net Worth, LLC and Networth Solutions jointly pay Plaintiff the amount of ten thousand dollars (\$10,000) for each violation, for a total of fifty thousand dollars (\$50,000), constituting civil penalties for violations of Idaho's Uniform Securities Act (2004), pursuant to Idaho Code § 30-14-603(b)(2)(C).

5. That Defendants, jointly and severally, make restitution to investors, pursuant to Idaho Code § 30-14-603(b)(2)(C), in the amount of three million one hundred thirty-three thousand five hundred four dollars and eighty-three cents (\$3,133,504.83). That Defendants pay such restitution amount through Plaintiff, to be delivered to the investors. Such restitution payments shall not become, or be deemed to be, an asset of Plaintiff. To the extent that Plaintiff collects any portion of said restitution from other Defendants in this action, such amounts will be applied to reduce this judgment. Plaintiff can collect no more than three million one hundred thirty-three thousand five hundred four dollars and eighty-three cents (\$3,133,504.83) in restitution from Defendants in this action. The previous Judgment obtained by Plaintiffs against these Defendants in this action, dated November 24, 2010, and the Amended Judgment dated December 17, 2010, both in the amount of two million four hundred six thousand two hundred thirty-three dollars and ninety-seven cents (\$2,406,233.97), are subsumed into and superseded by this Judgment.

6. That Plaintiff is awarded attorney fees incurred in the preparation and prosecution of this action, pursuant to Idaho Code § 12-121, in the amount of five thousand dollars (\$5,000).

7. That Plaintiff is hereby awarded a total money judgment against Defendants James B. Catledge, Impact, Inc., Impact Net Worth, LLC and Networth Solutions in the amount of three million two hundred thirty-eight thousand five hundred four dollars and eighty-three cents (\$3,238,504.83) constituting restitution, penalties and attorney fees.

DATED this 19 day of August, 2011.

RONALD J. WILPER

Ronald J. Wilper
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16 day of August, 2011, I caused a true and accurate copy of the foregoing JUDGMENT AND PERMANENT INJUNCTION REGARDING DEFENDANTS JAMES B. CATLEDGE, IMPACT, INC., IMPACT NET WORTH, LLC, AND NETWORTH SOLUTIONS to be served on the following by the designated means:

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CHRISTOPHER D. RICH

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SEAL

Clerk