

LAWRENCE G. WASDEN Attorney General

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# IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

## OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

STATE OF IDAHO, DEPARTMENT OF	)
FINANCE, SECURITIES BUREAU,	)
Plaintiff,	) ) Case No. CV-03-21
vs.	) <b>DEFAULT JUDGMENT</b>
	)
GALAXY FINANCIAL SERVICES, INC.,	)
SILVER STATE MOBILE HOMES, INC.,	)
V.J. ENTERPRISES, INC., ROBERT	)
SWICK, and MARK VICTOR JOHNSON,	)
	)
Defendants.	)
	)

IN THIS ACTION, the Defendants Galaxy Financial Services, Inc., Silver State Mobile Homes, Inc., V.J. Enterprises, Inc., Robert Swick, and Mark Victor Johnson (the Defendants) having failed to appear under I.R.C.P. 12(a), plead or otherwise defend in this action, the legal time for answering having expired, the Default of the Defendants having been duly entered according to law based upon the Affidavit of Michael Larsen, the other pleadings, papers, and records on file herein, and pursuant to the prayer of said Verified Complaint,

#### IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

A. The Defendants have violated the Idaho Securities Act.

B. The Defendants are permanently enjoined from engaging in any acts, practices or omissions which would constitute violations of the Idaho Securities Act, Title 30, Chapter 14, Idaho Code, and in particular, the Defendants are permanently enjoined from:

- Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as the securities have been registered with the Idaho Department of Finance in accordance with Title 30, Chapter 14, Idaho Code;
- Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as the Defendants have registered as broker-dealers or salesmen for a brokerdealer or issuer with the Idaho Department of Finance, in accordance with Title 30, Chapter 14, Idaho Code;
- 3. While engaged in or in connection with the offer, sale or purchase of any security:
  - (a) Employing any device, scheme or artifice to defraud any investors in the securities;
  - (b) 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;
  - (c) Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

4. Aiding, abetting, counseling, inducing or causing any other person to engage in any of the types of conduct described in paragraphs B.1, B.2, or B.3, above.

C. The Defendants are prohibited from claiming the availability of, using, or offering or selling securities, under any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director of the Idaho Department of Finance.

D. The Plaintiff is hereby awarded a money judgment against Defendants Galaxy Financial Services, Inc., Silver State Mobile Homes, Inc., V.J. Enterprises, Inc., Robert Swick, and Mark Victor Johnson, jointly and severally, in the amount of two hundred nine thousand dollars (\$209,000.00) which includes one hundred ninety four thousand dollars (\$194,000.00) as restitution for the victims of Defendants' violations of the Idaho Securities Act, pursuant to Idaho Code § 30-1442(3)(a), ten thousand dollars (\$10,000.00) as a civil penalty pursuant to Idaho Code § 30-1442(3)(b), and five thousand dollars (\$5,000.00) in attorney's fees pursuant to Idaho Code § 30-1442(3)(c).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Don L. Harding

District Judge

## **NOTICE OF ENTRY**

I HEREBY CERTIFY that a copy of the foregoing was this day served, by U.S. mailing, postage prepaid, on each of the persons or entities listed below, as follows:

#### **ATTORNEY FOR PLAINTIFF**

Michael Larsen Deputy Attorney General Department of Finance P.O. Box 83720 Boise, ID 83720-0031

## **DEFENDANTS**

Galaxy Financial Services, Inc c/o Robert Swick 2001 Madagascar Lane Las Vegas, NV 89121

Silver State Mobile Homes, Inc. c/o Robert Swick 2001 Madagascar Lane Las Vegas, NV 89121

Robert Swick 2001 Madagascar Lane Las Vegas, NV 89121

V.J. Enterprises, Inc. 401 Yacht Drive Garden City, UT 84028

Mr. Mark Victor Johnson 401 Yacht Drive Garden City, UT 84028

V. Elliott Larsen

CLERK

DATED: 4-10-03

18

Deputy Clerk