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W. J. ... ARRO, Clerk
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Attorneys for Plaintiff

**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.)
)
VIVIAN HAGEN, an individual,)
and DONALD HAGEN, an individual,)
)
Defendants.)
_____)

Case No. CV OC 0203036D

**JUDGMENT AGAINST
VIVIAN HAGEN**

Defendant VIVIAN HAGEN, having been duly served with process and having failed to appear and plead to or answer Plaintiff's Amended Verified Complaint filed herein in the manner required by law, and the legal time for answering having expired:

NOW, THEREFORE, THE COURT HEREBY FINDS that Defendant VIVIAN HAGEN has violated the Idaho Securities Act as alleged in the Plaintiff's Amended Verified Complaint filed in the above-captioned matter, and ORDERS, ADJUDGES AND DECREES as follows:

INJUNCTIVE RELIEF:

Defendant VIVIAN HAGEN is 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, Defendant VIVIAN HAGEN is permanently enjoined from:

- A. 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;
- B. Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as VIVIAN HAGEN has registered with the Idaho Department of Finance as a broker-dealer or salesman for a broker-dealer or issuer, in accordance with Title 30, Chapter 14, Idaho Code;
- C. While engaged in or in connection with the offer, sale or purchase of any security:
 - (1) Employing any device, scheme, or artifice to defraud any investors or prospective investors;
 - (2) Making any untrue statement of a material fact or omitting to state a material fact necessary in order to make statements made, in light of the circumstances under which they are made, not misleading;

- (3) 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 C(1), C(2), or C(3) above.

Defendant VIVIAN HAGEN is further 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.

MONEY JUDGMENT:

The Plaintiff is hereby awarded a money judgment against Defendant VIVIAN HAGEN in the total amount of \$526,157, which includes \$521,157 in restitution for the victims of Defendant VIVIAN HAGEN'S violations of the Idaho Securities Act, pursuant to Idaho Code § 30-1442(3)(a); and \$5,000 in attorney fees and costs incurred by the Plaintiff in the preparation and prosecution of this action and reimbursement for investigative efforts, pursuant to Idaho Code § 30-1442(3)(c).

DATED this 11th day of December, 2002.

[Signature]

District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of December, 2002, I served a true and correct copy of the foregoing JUDGMENT AGAINST DEFENDANT VIVIAN HAGEN by depositing the same in the United States Mail, postage prepaid, in an enveloped addressed to:

A. René Martin
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, ID 837320-0031

John E. Sutton
J.E. SUTTON & ASSOCIATES
P.O. Box 799
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Vivian Hagen
c/o Ada County Jail
7200 Barrister Drive
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