

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED:

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CLERK DISTRICT COURT
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DEPUTY

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Attorneys for Plaintiff

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR KOOTENAI COUNTY**

STATE OF IDAHO, DEPARTMENT)
OF FINANCE, SECURITIES BUREAU,)
)
Plaintiff,)
)
vs.)
)
MORTGAGE UNDERWRITERS, LLC,)
a/k/a MORTGAGE UNDERWRITER, LLC,)
formerly an Idaho limited liability company)
d/b/a NEVERLOSEAGAIN.COM; and)
ROBERT KEVIN MYERS, an individual,)
)
Defendants.)
_____)

Case No. CV03-1994

**STIPULATED JUDGMENT AND
PERMANENT INJUNCTION
AGAINST DEFENDANT
ROBERT KEVIN MYERS**

Defendant Robert Kevin Myers and the Department of Finance, State of Idaho, Securities Bureau (Department), having agreed to resolve all allegations set forth in the Verified Complaint filed in the above-captioned matter by the stipulation on file herein,

NOW, THEREFORE, THE COURT HEREBY FINDS that Defendant Robert Kevin Myers has violated the Idaho Securities Act, and ORDERS, ADJUDGES AND DECREES as follows:

INJUNCTIVE RELIEF:

Defendant Robert Kevin Myers 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, is permanently enjoined from:

- A. Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as such securities have been registered with the Idaho Department of Finance;
- B. Selling or offering for sale nonexempt securities in any form in the state of Idaho until such time as Robert Kevin Myers is 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 material fact, or omitting to state a material fact necessary in order to make the statements made, in the 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 Robert Kevin Myers 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.

DATED this 26th day of June, 2003.

JOHN T. MITCHELL

District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26 day of June, 2003, I served a true and correct copy of the foregoing STIPULATED JUDGMENT AND PERMANENT INJUNCTION AGAINST DEFENDANT ROBERT KEVIN MYERS, by depositing the same in the United States Mail, postage prepaid, in an envelope addressed to:

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Merrill Thorne
