

JAN 05 2011

J. DAVID NAVARRO, Clerk
By L. AMES
DEPUTY

LAWRENCE G. WASDEN
Attorney General

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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.)
)
GERALD WALLACE SILENCE, an)
individual; WISE ENTERPRISES, LLC, an)
Idaho limited liability company; WISE)
LENDING, LLC, an Idaho limited liability)
company; SHAUNA LEE SILENCE, as a)
relief defendant; COMPANIES 1 through 10,)
as yet unknown and unidentified, as relief)
defendants; and JANE AND JOHN DOES 1)
through 10, individuals as yet unknown and)
unidentified, as relief defendants,)
)
Defendants.)
_____)

Case No. CV OC 10 16166

STIPULATION FOR ENTRY OF
JUDGMENT AGAINST
DEFENDANT GERALD WALLACE
SILENCE

Plaintiff, State of Idaho, Department of Finance, Securities Bureau (Department) and
Defendant GERALD WALLACE SILENCE (Silence) have agreed to resolve all matters

between the two parties that relate to the above-captioned action, pursuant to the following Stipulation. The Department and Silence hereby stipulate and agree to the following terms and conditions:

1. Silence admits that he violated § 30-14-301(c) of Idaho's Uniform Securities Act (2004) (IUSA) by offering or selling unregistered securities in Idaho, as alleged in Count One of the Complaint filed herein (Complaint). Silence admits that he also violated § 30-14-402(a) of the IUSA by transacting securities business in Idaho without proper registration, as alleged in Count Two of the Complaint.

2. Silence neither admits nor denies the allegations set forth in Counts Three, Four, and Five of the Complaint.

3. Silence consents to the Court's entry of the injunction sought by the Department in paragraph 2 of the Prayer for Relief section of the Complaint, pursuant to § 30-14-603(b)(1) of the IUSA.

4. Silence consents to the Court's entry of a money judgment against him in his individual capacity in the total sum of \$2,276,636.79, constituting restitution payable to the Department on behalf of investors who were victims of Silence's securities law violations as reflected in paragraph 1 above. Should Silence repay investors any portion of such amount, upon sufficient proof of the same provided by Silence to the Department, the Department shall deem such judgment amount reduced by the amount Silence has repaid.

5. The Department agrees to forgo any claim for costs, including investigative costs, and attorney fees in this action, and also agrees to forgo any claim for penalties against Silence related to this action. Silence agrees to bear any attorney fees or costs he may have incurred related to this action.

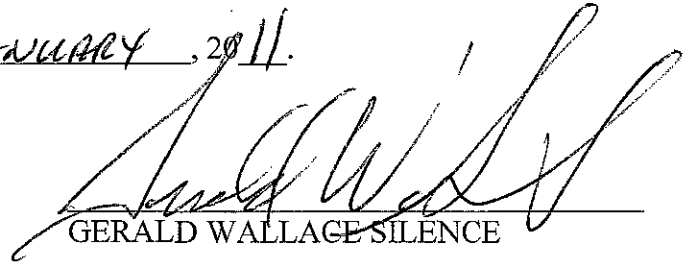
6. The Department and Silence agree to the Court's entry of a judgment setting forth the terms reflected in paragraphs 1 through 5 above.

7. Additionally, as soon as practicable after this Stipulation for Entry of Judgment has been fully executed and the Court has entered judgment, the Department shall take all required steps for dismissing Shauna Silence as a Defendant in this action, which dismissal shall be with prejudice.

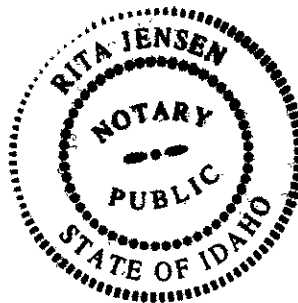
8. Silence acknowledges that he has entered into this Stipulation for Entry of Judgment voluntarily and with full knowledge of all rights he may have in this matter, including the right to be represented by, and to consult with, counsel in this action.

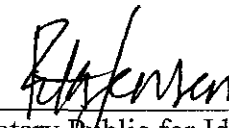
9. This Stipulation for Entry of Judgment and the resulting Judgment shall constitute a final resolution of all issues pending as to Silence pursuant to the Department's Complaint filed in this action.

DATED this 5TH day of JANUARY, 2011.


GERALD WALLACE SILENCE

SUBSCRIBED AND SWORN to before me this 5 day of JANUARY, 2011.




Notary Public for Idaho
Residing at: Meridian, Idaho
My Commission Expires: 3/6/2013

DATED this 5TH day of JANUARY, 2011.

IDAHO DEPARTMENT OF FINANCE
SECURITIES BUREAU


MARILYN T. CHASTAIN
Bureau Chief

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of January, 2011, I served a true and correct copy of the foregoing fully-executed STIPULATION FOR ENTRY OF JUDGMENT AGAINST DEFENDANT GERALD WALLACE SILENCE upon the following by the designated means:

Gerald Wallace Silence
P.O. Box 755
Middleton, ID 83644

U.S. Mail, postage prepaid
 Certified mail
 Facsimile

Shauna Lee Silence
P.O. Box 755
Middleton, ID 83644

U.S. Mail, postage prepaid
 Certified mail
 Facsimile