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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,

HOME SWEET HOME, LLC, STREAMLINE FINANCIAL, LLC, MICHAEL J. BREINHOLT, an

individual and dba HOME SWEET

FINANCIAL, LLC, ANNUIT COEPTIS, LLC, GABRIEL JOSEPH, an individual

HOME, LLC and STREAMLINE

and dba ANNUIT COEPTIS, and

vs.

Case No. CV OC 07 21972

# JUDGMENT AND PERMANENT INJUNCTION

Defendants.

TERRY DEEBLE.

The State of Idaho, Department of Finance, Securities Bureau ("Department") and Defendant Terry Deeble (Deeble), parties to the above-captioned action, having agreed to resolve

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all allegations set forth in the Verified Complaint filed in the above-captioned action by the Stipulation and Consent to Entry of Judgment on file herein,

WHEREFORE, by virtue of the law and by reason of the premises aforesaid, THE COURT HEREBY ADJUDGES, ORDERS, AND DECREES as follows:

## I.

#### PERMANENT INJUNCTION

1. Defendant Terry Deeble is permanently enjoined from engaging in any act or practice that violates any provision of Idaho's Uniform Securities Act (2004) or any rule promulgated thereunder, pursuant to authority granted this court by Idaho Code § 30-14-603(b)(1).

2. Deeble is specifically permanently enjoined from engaging in any of the following acts or conduct:

A. Selling or offering for sale nonexempt securities in any form in the state of Idaho unless such securities have been duly registered with the Idaho Department of Finance in accordance with Idaho's Uniform Securities Act (2004).

B. Selling or offering for sale nonexempt securities in any form in the state of Idaho unless Defendants have duly registered as a securities broker-dealer or agent for a brokerdealer with the Idaho Department of Finance in accordance with Idaho's Uniform Securities Act (2004).

C. While engaged in or in connection with the offer, sale or purchase of any security:

i. Making false and misleading material misrepresentations to prospective investors in connection with the offer, sale or purchase of securities;

ii. Omitting and failing to disclose material facts to prospective investors in connection with the offer, sale or purchase of securities; and

iii. Engaging in transactions, acts, practices, and courses of business which operated as a fraud or deceit upon investors and prospective investors.

## II.

#### **MONEY JUDGMENT**

Plaintiff is hereby awarded a money judgment against Deeble, in the total amount of seventy-three thousand (\$73,000) dollars, which amount is to be paid to the Idaho Department of Finance to be returned by the Department as restitution to persons who invested with the Defendants in this case, pursuant to Idaho Code § 30-14-603(b)(2)(C).

1. Deeble will pay the Department penalties in the amount of twenty thousand dollars (\$20,000), pursuant to Idaho Code § 30-14-603(b)(2)(C). The Department will suspend the penalties for up to ten (10) years from the date of execution of this Judgment as provided next. If Defendant has paid the Department the sum of thirty-three thousand six-hundred dollars (\$33,600) within ten (10) years from the date of execution of this Judgment, according to the payment terms set forth in the Stipulation and Consent to Entry of Judgment Against Defendant Terry Deeble on file in this action, the Department will waive the \$20,000 penalty and will consider the matter fully resolved with no additional amounts due or owing.

2. If Deeble fails to make any payment on time, the penalty waiver shall cease to apply and Deeble shall be immediately liable to the Department for the full amount of the penalties.

## III.

#### **OTHER RELIEF**

1. Each party will bear its own attorney fees and costs in this action.

2. The Court finds and hereby Orders that the sums awarded pursuant to this stipulation are nondischargeable within the meaning of 11 USC § 523(a)(19) as set forth in the Stipulation.

DATED this \_\_\_\_\_\_ day of <u>December</u>, 2008.

il Hr Deven District Judge

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this <u>3</u><sup>rd</sup> day of <u>1</u>, 2008, I caused a true and accurate copy of the foregoing JUDGMENT AND PERMANENT INJUNCTION to be served on the following by the designated means:

] U.S. mail, postage prepaid Alan Conilogue Ĩ Joseph B. Jones ] certified mail ſ Deputy Attorneys General ] overnight mail ſ Department of Finance hand delivery PO Box 82720 Boise, ID 83720-0031 U.S. mail, postage prepaid D. Blair Clark [ ] certified mail 1513 Tyrell Lane, Ste. 130 ſ Boise, ID 83706 ] overnight mail ſ ] hand delivery ſ