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▲ DAVID NAVARRO, Clerk
By INGA JOHNSON
DEPUTY

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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.

JERRY FRANCIS WARD, an individual,
and dba MED-LIFE,

Defendants.

Case No. CV OC 10 02136

JUDGMENT UPON DEFAULT

THIS MATTER having come before the court on Plaintiff's Verified Complaint, it appears to the court that Defendant JERRY FRANCIS WARD, an individual, and dba MED-LIFE (Ward) was duly served with process and failed to appear and plead or answer Plaintiff's Verified Complaint, and that default was duly entered. It appears from Plaintiff's affidavit filed in this matter that Defendant Ward is not in the military service of the United States or is

incompetent, and that the allegations of Plaintiff's Verified Complaint are true, and that Plaintiff is entitled to judgment against Defendant Ward as prayed for;

IT FURTHER APPEARS that Defendant Ward, pursuant to I.R.C.P. 11(b)(3), failed to serve an additional written appearance either in person or through a newly appointed attorney within twenty (20) days after being served with the Order Allowing Withdrawal of Attorney on or about October 26, 2010. Such failure is sufficient ground for entry of default and default judgment against Defendant Ward, with prejudice and without further notice;

WHEREAS the Court finds that Defendant Ward engaged in violations of Idaho's Uniform Securities Act (2004), Idaho Code § 30-14-101 *et seq.*, as described in the Verified Complaint;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff is entitled to judgment against Defendant Ward as follows:

1. That Defendant Ward is adjudged to have violated Idaho's Uniform Securities Act (2004), Idaho Code § 30-14-101 *et seq.*, as to Counts One through Five of Plaintiff's Verified Complaint.

2. That Defendant Ward is permanently enjoined from engaging in any act or practice violating any provision of Idaho's Uniform Securities Act (2004), pursuant to Idaho Code § 30-14-603(b)(1), and in particular, that he is permanently enjoined from:

- a. Selling or offering for sale securities in any form in the state of Idaho;
- b. In connection with the offer, sale or purchase of any security, directly or indirectly:
 - i. Employing any device, scheme, or artifice to defraud;
 - ii. 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;

iii. Engaging in any act, practice or course of business that operates or would operate as a fraud or deceit upon another person.

3. That Defendant Ward pay Plaintiff the amount of ten thousand dollars (\$10,000) for each violation, for a total of fifty thousand dollars (\$50,000), constituting civil penalties for violations of Idaho's Uniform Securities Act (2004), pursuant to Idaho Code § 30-14-603(b)(2)(C).

4. That Defendant Ward make restitution to investors, pursuant to Idaho Code § 30-14-603(b)(2)(C), in the amount of eighty-nine thousand dollars (\$89,000). That Defendant Ward pays such restitution amount to Plaintiff, to be delivered to the investors.

5. That Plaintiff is awarded attorney fees incurred in the preparation and prosecution of this action, pursuant to Idaho Code § 12-121, in the amount of five thousand dollars (\$5,000).

6. That Plaintiff is hereby awarded a total money judgment against Defendant Ward in the amount of one hundred forty-four thousand dollars (\$144,000), constituting restitution, penalties, and attorney fees.

DATED this 2 day of Dec, 2010.

RONALD J. WILPER

Judge Ronald J. Wilper
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 3 day of Dec, 2010, I caused to be served an accurate copy of the JUDGMENT UPON DEFAULT upon all parties of record in the proceeding to the following, in the manner indicated below:

Alan Conilogue
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0031

-] U.S. mail, postage prepaid
-] certified mail
-] overnight mail
-] fax: (208) 332-8016
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Jerry Francis Ward
1869 E. Selice Way #289
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-] U.S. mail, postage prepaid
-] certified mail
-] overnight mail
-] email: _____

J. DAVID NAVARRO
INGA JOHNSON

Clerk

