

TERMINATED

**U.S. District Court
District of Oregon (Portland)
CIVIL DOCKET FOR CASE #: 3:06-cv-00162-JE**

United States Commodity Futures Trading Commission et al v. Rask Assigned to: Magistrate Judge John Jelderks Cause: 7:6(b) Federal Commodity Exchange Regulation	Date Filed: 02/06/2006 Date Terminated: 05/15/2006 Jury Demand: None Nature of Suit: 850 Securities/Commodities Jurisdiction: Federal Question
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Plaintiff

United States Commodity Futures Trading Commission	represented by Richard P. Foelber US Commodity Futures Trading Commission 1155 21st Street, N.W. Washington, DC 20581 (202) 418-5347 Fax: (202) 418-5538 Email: rfoelber@cftc.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED
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Plaintiff

State of Oregon, ex rel Cory Streisinger, Director of the Department of Consumer and Business Services <i>in her official capacity</i>	represented by David C. Tatman State of Oregon - DCBS Division of Finance & Corp. Securities 350 Winter Street, N.E. Room 410 Salem, OR 97310 (503) 947-7475 Fax: (503) 947-7862 Email: david.c.tatman@state.or.us LEAD ATTORNEY ATTORNEY TO BE NOTICED
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V.

Defendant**James John Rask**represented by **Steven B. Ungar**

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Date Filed	#	Docket Text
02/06/2006	<u>1</u>	Complaint. Filing Fee in amount of \$250 collected. Receipt No. 7730 issued. Filed by United States Commodity Futures Trading Commission, State of Oregon, <i>ex rel</i> Cory Streisinger, Director of the Department of Consumer and Business Services against James John Rask.(eo) (Entered: 02/08/2006)
02/06/2006	<u>2</u>	Joint Motion to Enter Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty Against James John Rask. Filed by United States Commodity Futures Trading Commission, State of Oregon, <i>ex rel</i> Cory Streisinger, Director of the Department of Consumer and Business Services, James John Rask. (eo) (Entered: 02/08/2006)
02/06/2006	<u>3</u>	Discovery and Pretrial Scheduling Order and Notice of Case Assignment to the Honorable John Jelderks. Discovery is to be completed by 6/6/2006. Joint Alternate Dispute Resolution Report is due by 7/6/2006. Pretrial Order is due by 7/6/2006. Ordered by

		Judge John Jelderks. (eo) (Entered: 02/08/2006)
02/23/2006	<u>4</u>	CONSENT ORDER of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty Against James John Rask. Signed on February 23, 2006 by Judge Garr M. King. (Attachments: #(1) Exhibits to Consent Order) (eo) (Entered: 02/23/2006)
05/15/2006	<u>5</u>	Joint Motion of Plaintiffs and Defendants to Enter Order of Final Judgment Incorporating the Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty against James John Rask. Filed by United States Commodity Futures Trading Commission, State of Oregon, <i>ex rel</i> Cory Streisinger, Director of the Department of Consumer and Business Services, James John Rask. (eo) (Entered: 05/15/2006)
05/15/2006	<u>6</u>	Final Judgment Incorporating the Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty against James John Rask. Signed on May 12, 2006 by Judge Garr M. King. (eo) (Entered: 05/15/2006)

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**UNITED STATES COMMODITY
FUTURES TRADING COMMISSION**

and

CASE NO. 3:06-CV-162

**STATE OF OREGON EX REL CORY
STREISINGER, DIRECTOR OF THE
DEPARTMENT OF CONSUMER AND
BUSINESS SERVICES, in her official
capacity,**

Plaintiffs,

**~~ORDER OF~~ FINAL JUDGMENT
INCORPORATING THE CONSENT
ORDER OF PERMANENT
INJUNCTION, ANCILLARY
EQUITABLE RELIEF, AND CIVIL
MONETARY PENALTY AGAINST
JAMES JOHN RASK**

v.

JAMES JOHN RASK,

Defendant.

*Order of Final Judgment Incorporating Consent Order
of Permanent Injunction, Ancillary Equitable Relief, and
Civil Monetary Penalty against James John Rask*

This cause is before the Court on the joint motion by the United States Commodity Futures Trading Commission ("CFTC"), the State of Oregon Department of Consumer and Business Services ("DCBS"), James John Rask ("Rask") to enter an Order of Final Judgment Incorporating the Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty against James John Rask. All parties to this proceeding have agreed to the entry of the Final Judgment Order and agree that the entry of the Final Judgment Order will conclude this proceeding. Accordingly, the Court, having reviewed the record in this matter, directs as follows:

IT IS HEREBY ORDERED that the Joint Motion by Plaintiffs and Defendant to Enter an Order of Final Judgment Incorporating the Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty against James John Rask is **GRANTED**.

IT IS HEREBY FURTHER ORDERED that final judgment is entered in this matter incorporating this Court's February 23, 2006 Consent Order of Permanent Injunction, Ancillary Equitable Relief, and Civil Monetary Penalty against James John Rask ("Consent Order"). Pursuant to the terms of the Consent Order, all proceedings in this governmental enforcement injunctive matter are concluded. The Consent Order provides for a final judgment on the merits by permanently enjoining Rask from violations of the contract market and antifraud provisions set forth in Sections 4(a) and 4b(a)(2) of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. §§ 6(a), 6b(a)(2), and the registration and antifraud provisions of the Oregon Securities Law, Oregon Revised Statutes §§ 59.055, 59.165, 59.135. In addition to a final judgment of permanent injunction, the Consent Order also directs that Rask be permanently banned from activities relating to commodity futures trading and securities trading, that Rask make full restitution, and that Rask pay a civil monetary penalty. The Consent Order provides that Rask

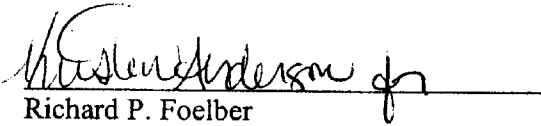
shall make full restitution in the amount of \$2,409,885 plus pre- and post-judgment interest. The amount of restitution represents the amount of funds that persons solicited by Rask gave to Orion as a result of the conduct alleged in the Complaint and identified as investors in Exhibit A to the Consent Order. The Consent Order further provides that Rask pay to the CFTC a civil monetary penalty in the amount of \$1,965,565 plus post-judgment interest pursuant to Section 6c of the Act, 7 U.S.C. § 13a-1, upon full satisfaction of his restitution obligation. The amount of the civil monetary penalty represents the monetary gain Rask received as a result of the course of conduct alleged in the Complaint.

IT IS HEREBY FURTHER ORDERED that this Court shall retain jurisdiction of this cause to assure compliance with this Order, the Consent Order, and for all other purposes related to this action.

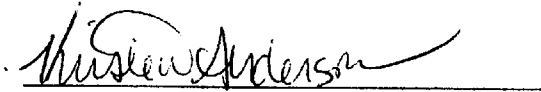
Done and Ordered this 12 day of May 2006, at Portland, Oregon.


GARR M. KING
UNITED STATES DISTRICT JUDGE

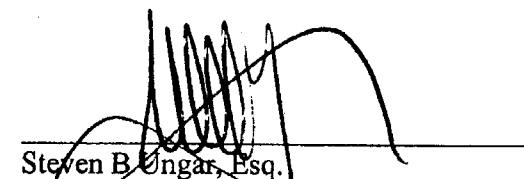
**Order Of Final Judgment Incorporating Consent Order Of Permanent Injunction,
Ancillary Equitable Relief, And Civil Monetary Penalty Against Defendant James John
Rask consented to and approved for entry by:**



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