

IN THE DISTRICT COURT OF PONTOTOC COUNTY
STATE OF OKLAHOMA

FILED
MAR - 2 2004
JANIS R.
Pontotoc
By _____ Clerk
Oklahoma

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)

Plaintiff,)

v.)

Yankee Financial Group, Inc.,)
Vasily Kouznetsov *aka* David Anderson,)
Gary J. Giordano, and)
Richard Francis Kresge,)

Defendants.)

Case No. C-03-586

PERMANENT INJUNCTION AND OTHER EQUITABLE RELIEF

On this 26th day of January, 2004, this matter came on for hearing before the undersigned Judge of the District Court in and for Pontotoc County, State of Oklahoma, upon Plaintiff's Motion for Default Judgement against Defendant Gary J. Giordano, filed herein on December 31, 2003. Plaintiff Oklahoma Department of Securities appears by its counsel, Rebecca Cryer. Defendant Giordano appears not.

The Court, having reviewed the pleadings, finds that Gary J. Giordano was properly served with summons outside this state on October 27, 2003. Defendant Giordano failed to appear within the time allowed and no pleading has been filed on his behalf. Further, the Court finds that Defendant Giordano received notice of Plaintiff's Motion for Default Judgement and Order Setting Hearing on said Motion and has wholly failed to appear or respond thereto.

Based thereon, the Court finds that Defendant Giordano is in default and has thus admitted the allegations of the Plaintiff's Petition for Permanent Injunction and

Other Equitable Relief ("Petition"). It appears to this Court from the facts alleged in the Petition that Plaintiff is entitled to the relief for which it has prayed against Defendant Giordano.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Gary J. Giordano is permanently enjoined from, directly or indirectly:

1. offering or selling any security in and/or from this state;
2. transacting business in this state as a broker-dealer or agent.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Gary J. Giordano pay restitution to Warren J. Bates in the amount of \$2,055,054.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Gary J. Giordano pay Plaintiff a civil penalty in the sum of Ten Thousand Dollars (\$10,000.00).

THIS ORDER IS ENTERED this 27th day of February, 2004.

Thomas S. Landrith

PONTOTOC COUNTY DISTRICT COURT JUDGE