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FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

JUN 24 2014

ALAN CARLSON, Clerk of the Court

BY R Burns

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE

THE PEOPLE OF THE STATE OF CALIFORNIA, by and through the CALIFORNIA CORPORATIONS COMMISSIONER,

Plaintiff,

vs.

SYNERGY OIL, LLC, an Oklahoma limited liability company;  
ROBERT FALCO, an individual; and  
DOES 1 through 10, inclusive,

Defendants.

Case No.: 30-2012-00614896-CU-SL-CJC

**[PROPOSED] JUDGMENT OF PERMANENT INJUNCTION, CIVIL PENALTIES, AND ANCILLARY RELIEF AGAINST DEFENDANTS SYNERGY OIL, LLC AND ROBERT FALCO**

1. On November 27, 2012, Plaintiff, the California Corporations Commissioner (now the Commissioner of Business Oversight), filed her Complaint against Defendants Synergy Oil, LLC and Roberto Falco (“Defendants”) for violations of Corporations Code sections 25110 and 25401 and a Desist and Refrain Order issued by the Commissioner.

2. The Complaint seeks injunctive relief prohibiting Defendants from violating Corporations Code sections 25110 and 25401 and the Desist and Refrain Order; restitution to Defendants’ victims in the amount of at least \$13,775,047.86; and civil penalties of at least \$13,250,000.00.

3. The Complaint was served on Defendants.

1           4.       On January 8, 2014, Plaintiff’s motion for summary judgment against Defendants  
2 Synergy Oil, LLC and Robert Falco came on regularly for hearing before the Honorable Sheila Fell  
3 in Department C22 of this Court. The Court granted summary adjudication in favor of Plaintiff on all  
4 issues except the amounts of restitution and penalties. The Court continued the hearing date on the  
5 issues of restitution and penalties.

6           5.       On March 19, 2014, Plaintiff’s motion for summary judgment on the remaining issues  
7 of restitution and penalties against Defendants came on regularly for hearing before the Honorable  
8 Pro Tem Judge Beth Eagleson in Department C22 of this Court. The Court granted Plaintiff’s motion  
9 for summary judgment on the remaining issues against Defendants. Specifically, the Court ruled that  
10 judgment shall be entered in Plaintiff’s favor in the amounts of \$13,775,047.86 in restitution and  
11 \$6,625,000.00 in civil penalties.

12           GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ADJUDGED, ORDERED  
13 AND DECREED THAT JUDGMENT BE ENTERED AS FOLLOWS:

14                           **I.       INJUNCTIVE RELIEF**

15           DEFENDANTS and their agents, employees, attorneys in fact in their capacities as such, and  
16 all persons acting in concert or participating with them, shall be and are hereby permanently enjoined  
17 from directly or indirectly:

18           1.       Violating Corporations Code section 25110 by offering to sell, selling, arranging for  
19 the sale of, issuing, engaging in the business of selling, or negotiating for the sale of and security of  
20 any kind, unless such security or transaction is qualified;

21           2.       Violating Corporations Code section 25401 by offering to sell or selling any securities  
22 of any kind by means of any written or oral communication which includes any untrue statement of  
23 material fact or omits or fails to state any material fact necessary in order to make the statements  
24 made, in the light of the circumstances under which they are made, not misleading; and

25           3.       Violating the Desist and Refrain Order issued by the California Corporations  
26 Commissioner on March 17, 2011, by offering and selling unqualified, non-exempt securities in  
27 violation of Corporations Code section 25110 and by making misrepresentations or omissions of  
28 material fact in connection therewith in violation of Section 25401.

1                   **II.     RESCISSION AND RESTITUTION**

2                   DEFENDANTS are hereby ordered, jointly and severally, to rescind each and all of the  
3 unlawful transactions alleged in the Complaint, and to pay full restitution to each investor who was  
4 subject to Defendants' acts or practices which constitute violations of the Corporate Securities Law  
5 of 1968, as follows:

<b>Name of Investor</b>	<b>Amount Paid</b>
James Anderson	<b>\$24,200.00</b>
Anabel Anderson-Imbert	<b>\$25,000.00</b>
William Angel	<b>\$12,500.00</b>
Gabriel Anghel	<b>\$25,000.00</b>
Richard Archer	<b>\$10,000.00</b>
Chris Bach	<b>\$15,000.00</b>
Chris Bach	<b>\$19,600.00</b>
Chris Bach	<b>\$10,000.00</b>
Bernard Balistreri	<b>\$25,000.00</b>
Riley Barney	<b>\$75,000.00</b>
Stanley Barr	<b>\$25,000.00</b>
Stanley Barr	<b>\$25,000.00</b>
Rick Basinger	<b>\$10,000.00</b>
Kevin Baumgartner	<b>\$20,000.00</b>
Steven Beyer	<b>\$25,000.00</b>
James & Brook Bitondo	<b>\$25,000.00</b>
James & Brook Bitondo	<b>\$25,000.00</b>
Adam Boone	<b>\$25,000.00</b>
James Bordini	<b>\$15,000.00</b>
Vernon Bowlby	<b>\$100,000.00</b>
James Bradley	<b>\$20,000.00</b>
Michael Brewer	<b>\$25,000.00</b>
Bryant Brocket	<b>\$20,000.00</b>
Jason Brown	<b>\$25,000.00</b>
Richard Bruggemann	<b>\$62,500.00</b>
Dale Buchta	<b>\$62,500.00</b>
Dale Buchta	<b>\$100,000.00</b>
Joe Buczkowski	<b>\$18,000.00</b>
Joe Buczkowski	<b>\$9,703.14</b>
Demar & Sharon Burnett	<b>\$1,300,000.00</b>
Marvin Carman	<b>\$25,000.00</b>
Roy Carrie	<b>\$9,408.00</b>
Pallathu John Chandy	<b>\$12,500.00</b>
Terence Chrzan	<b>\$12,500.00</b>
Terence Chrzan	<b>\$12,500.00</b>
Steve Colvin	<b>\$10,000.00</b>

1	Fred Cook	\$100,000.00
	Glen Costen	\$25,000.00
2	Tony Coughlin	\$15,000.00
	Michael Crispin	\$12,000.00
3	Ralph M. Curl	\$25,000.00
	Ralph M. Curl	\$25,000.00
4	Elizabeth Curtner	\$50,000.00
	Doug Cutler	\$50,000.00
5	James Dabney	\$25,000.00
	Sandra Dailey	\$29,000.00
6	Ishani Dalal	\$25,000.00
	Donovan Francis Dasher	\$12,500.00
7	Jerry B. Davis	\$25,000.00
	Joseph Daniel Davis	\$15,000.00
8	Paul Decker	\$62,500.00
	Paul Decker	\$37,500.00
9	John Deputy	\$50,000.00
	Mark Dick	\$62,500.00
10	John Dinmore	\$25,000.00
	Christopher Dowling	\$25,000.00
11	James Downing	\$200,000.00
	Robert Drye	\$20,000.00
12	Joseph Dupont	\$25,000.00
	Joseph Dupont	\$25,000.00
13	Joseph Dupont	\$75,000.00
	Enrique Enriquez	\$25,000.00
14	Enrique Enriquez	\$75,000.00
	Trenton Eversull	\$25,000.00
15	Trenton Eversull	\$99,600.00
	Trenton Eversull	\$75,000.00
16	Jerry Eyre	\$15,000.00
	Robert Falco	\$39,600.00
17	Ronald Fanning	\$40,000.00
	Ronald Fanning	\$20,000.00
18	Chris Ferguson	\$20,000.00
	James Firnberg	\$25,000.00
19	George Fischer	\$10,000.00
	George Fischer	\$40,000.00
20	James Folmer	\$14,600.00
	Sam Frees	\$100,000.00
21	Gary Friederich	\$25,000.00
	Thomas Gamble	\$20,000.00
22	Joseph Garza	\$10,000.00
	Dave Gebers	\$50,000.00
23	Dave Gebers	\$25,000.00
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1	Andrew Glicksberg	\$25,000.00
	Randy Glisson	\$49,600.00
2	John Gorenflo	\$25,000.00
	James R. Gosey Jr.	\$100,000.00
3	James R. Gosey Jr.	\$99,613.16
	Ken Greenhoe	\$49,600.00
4	Joe Greenwald	\$100,000.00
	Michael Guarino	\$15,000.00
5	Brian Haas	\$100,000.00
6	Brian Haas	\$100,000.00
	Kenneth Haines	\$25,000.00
7	Melvin Hamby	\$25,000.00
8	David Hardin	\$20,000.00
	John Harvey	\$25,000.00
9	Richard & Karen Hass	\$41,085.10
	Keith Hauser	\$15,000.00
10	James Hawkins	\$100,000.00
	Jack Henderson	\$20,000.00
11	Chris Henschen	\$10,000.00
	Joanna Herrig	\$100,000.00
12	Erin Hickey	\$10,000.00
	Frank Hill	\$25,000.00
13	Frank Hill	\$25,000.00
14	Frank Hill	\$25,000.00
	Frank Hill	\$10,000.00
15	Steve Hiller	\$25,000.00
16	Patricia Hirkala	\$25,000.00
	Robert Hoak	\$49,737.50
17	Susan Hodges	\$10,000.00
18	Brad Hoene	\$24,600.00
	Maureen Holasek	\$25,000.00
19	Rolland Hopson	\$10,000.00
	Mark Hough	\$10,000.00
20	Joyce Huber	\$10,000.00
	Jay Hughes	\$50,000.00
21	Spencer Huhn	\$25,000.00
22	Jack Hulme	\$25,000.00
	Jack Hulme	\$49,600.00
23	Rudolph Huszagh	\$10,000.00
24	Brian Hutchison	\$10,000.00
	John Isaminger	\$30,000.00
25	Jonathan Jackson	\$24,600.00
	Steve Jollensten	\$10,000.00
26	Krishna Kandath	\$25,000.00
27	Janelle Kelly	\$25,000.00

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1	Janelle Kelly	\$125,000.00
	Mike Kinney	\$60,000.00
2	Roger Klein	\$25,000.00
	Gene Knapp	\$25,000.00
3	Timothy Kovacich	\$25,000.00
	Timothy Kovacich	\$25,000.00
4	Kauko Laurinolli	\$100,000.00
	Kauko Laurinolli	\$100,000.00
5	Ryan & Kathryn Lautzenhiser	\$50,000.00
6	Geraldine P. Lewis	\$25,000.00
	Geraldine P. Lewis	\$50,000.00
7	Jimmy Little	\$37,000.00
8	John Loftin	\$100,000.00
	John Loftin	\$50,000.00
9	Marilyn Lonon	\$15,000.00
10	Bobby Luce	\$100,000.00
	Paul Lyle	\$62,500.00
11	Joe Lynn	\$25,000.00
	Richard Marien	\$25,000.00
12	Sharon Martin	\$10,000.00
13	Jackie Mattson	\$100,000.00
	Jackie Mattson	\$100,000.00
14	Lawson Maury	\$50,000.00
	Lawson Maury	\$150,000.00
15	Lawson Maury Jr.	\$50,000.00
16	Tannen Maury	\$50,000.00
	James & Rebecca McCabe	\$25,000.00
17	Michael McCann	\$25,000.00
	Michael McCann	\$50,000.00
18	Timothy McKnight	\$25,000.00
	Timothy McKnight	\$25,000.00
19	Patrick McLarney	\$24,600.96
20	Michael McLean	\$12,500.00
	Rosemary McMahon	\$100,000.00
21	John Miggins	\$10,000.00
22	Alice Miller	\$25,000.00
	Bruce Miller	\$100,000.00
23	Dorothy Miller	\$25,000.00
	Dave Mills	\$25,000.00
24	Dave Mills	\$25,000.00
	Anne Mitchell	\$12,500.00
25	Anne Mitchell	\$12,100.00
26	Marlin Moe	\$24,975.00
	Nicholas Montefusco	\$100,000.00
27	Brett Moreaux	\$50,000.00
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1	Brett Moreaux	<b>\$100,000.00</b>
	Brett Moreaux	<b>\$100,000.00</b>
2	Don & Mary Jane Narigon	<b>\$15,000.00</b>
	Everette Newman	<b>\$15,000.00</b>
3	Charley O'Daniel	<b>\$3,500.00</b>
	Charley O'Daniel	<b>\$11,300.00</b>
4	Wester Olsen	<b>\$12,500.00</b>
	Michael Omtvedt	<b>\$12,500.00</b>
5	Evelyn Page	<b>\$25,000.00</b>
	Evelyn Page	<b>\$25,000.00</b>
6	Evelyn Page	<b>\$50,000.00</b>
	Evelyn Page	<b>\$50,000.00</b>
7	Steven & Gayle Palestri	<b>\$10,000.00</b>
	Leonard Penner	<b>\$15,000.00</b>
8	Leonard Penner	<b>\$25,000.00</b>
	Leonard Penner	<b>\$60,000.00</b>
9	Dan Perry	<b>\$30,000.00</b>
	Kenneth Peterson	<b>\$24,600.00</b>
10	Kenneth Peterson	<b>\$60,000.00</b>
	Kenneth Peterson	<b>\$40,000.00</b>
11	Steve Pfandl	<b>\$25,000.00</b>
	Gordon J. Pherribo Sr.	<b>\$10,000.00</b>
12	Gordon J. Pherribo Sr.	<b>\$15,000.00</b>
	Tony Pistilli	<b>\$40,000.00</b>
13	Roopkumar & Mamatha Pondicherry	<b>\$10,000.00</b>
	James Pope	<b>\$99,600.00</b>
14	Bob & Lois Popp	<b>\$25,000.00</b>
	Bortolo Pradal	<b>\$25,000.00</b>
15	Chris Price	<b>\$12,500.00</b>
	Wesley Quale	<b>\$12,500.00</b>
16	Ronald Rice	<b>\$10,000.00</b>
	Kenneth Riepe	<b>\$25,000.00</b>
17	David Robinson	<b>\$20,000.00</b>
	Bobby Rogers	<b>\$75,000.00</b>
18	Carol Russell	<b>\$50,000.00</b>
	George Sabella	<b>\$25,000.00</b>
19	Burns R. Sabey	<b>\$50,000.00</b>
	Burns R. Sabey	<b>\$25,000.00</b>
20	Leonard Saltzman	<b>\$50,000.00</b>
	Arif Sattar	<b>\$50,000.00</b>
21	Donald Scheffler	<b>\$10,000.00</b>
	Stephen Shrader	<b>\$17,000.00</b>
22	Siegmar Seida	<b>\$12,500.00</b>
	Eric Seidel	<b>\$24,600.00</b>
23	Judy Shallenberger	<b>\$100,000.00</b>
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1	Eric & Beth Sheely	\$25,000.00
	Ward Simpson	\$25,000.00
2	Ashok Singh	\$100,000.00
	Ashok Singh	\$50,000.00
3	Philip Sirota	\$50,000.00
	Philip Sirota	\$125,000.00
4	Brent Skinner	\$19,600.00
	Thomas Slaymaker	\$25,000.00
5	Robert Slocomb	\$25,000.00
	Robert Slocomb	\$25,000.00
6	E.G. Stringer	\$12,500.00
	Norman Svelund	\$99,600.00
7	Norman Svelund	\$100,000.00
	James Swigert	\$10,000.00
8	Dean Tatulinski	\$12,100.00
	Joseph Thomas	\$10,000.00
9	Mark Tiensvold	\$25,000.00
	David & Beverly Timberlin	\$25,000.00
10	Helen Tisdale	\$24,600.00
	Jane Tourino	\$62,500.00
11	Jane Tourino	\$50,000.00
	Milton Tyler	\$10,000.00
12	Josephine Ullman	\$6,000.00
	Roger Allen Vaage	\$25,000.00
13	Roger Allen Vaage	\$15,000.00
	Richard Van Werden	\$12,500.00
14	Henry Varno	\$10,000.00
	Ed Votava	\$25,000.00
15	Hunter Wade	\$10,000.00
	Hunter Wade	\$10,000.00
16	Conrad Waldinger	\$10,000.00
	J.M. Weakland	\$10,000.00
17	Gabriel M. Weaver	\$15,000.00
	Gary & Nancy Webb	\$50,000.00
18	Herbert Weil	\$25,000.00
	Matthew Weir	\$25,000.00
19	Thomas W. Wells	\$10,000.00
	Thomas W. Wells	\$2,500.00
20	James White	\$25,000.00
	Dan Wiebold	\$12,500.00
21	Randall Wilke	\$100,000.00
	Randy Williams	\$50,000.00
22	Tom Wollschlager	\$112,500.00
	Larry Woodin	\$25,000.00
23	Ching Wu	\$50,000.00

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Ching Wu	<b>\$50,000.00</b>
Jie Zhan	<b>\$10,000.00</b>

The total amount of restitution to be paid by Defendants is \$13,775,047.86.

**III. CIVIL PENALTIES**

DEFENDANTS are hereby ordered, jointly and severally, to pay to the Department of Business Oversight (formerly the Department of Corporations) a civil penalty for each act in violation of the Corporate Securities Law of 1968, pursuant to California Corporations Code section 25535, in the total amount of \$6,625,000.00.

**IV. THIS COURT TO RETAIN JURISDICTION**

This Court shall retain jurisdiction of this action in order to implement and carry out the terms of all orders and decrees that may be entered herein or to entertain any suitable application or motion by Plaintiff for additional relief within the jurisdiction of this Court.

IT IS SO ORDERED.

Dated: JUN 24 2014 SHEILA FELL  
JUDGE OF THE SUPERIOR COURT

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