

**United States District Court, Northern District of Illinois**

Name of Assigned Judge or Magistrate Judge	Ronald A. Guzman	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	99 C 5023	DATE	2/5/2003
CASE TITLE	S.E.C. vs. BARZILAY, et al		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

**MOTION:**

**DOCKET ENTRY:**

- (1)  Filed motion of [ use listing in "Motion" box above.]
- (2)  Brief in support of motion due \_\_\_\_\_.
- (3)  Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4)  Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5)  Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6)  Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7)  Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8)  [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9)  This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
  - FRCP4(m)  Local Rule 41.1  FRCP41(a)(1)  FRCP41(a)(2).
- (10)  [Other docket entry] **ENTER STIPULATION AND ORDER OF DISMISSAL AS TO DEFENDANT STANSLAV KAMINSKY.**
- (11)  [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input checked="" type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials  TBK	U.S. DISTRICT COURT CLERK FEB 10 PM 4:11 FILED 10	number of notices	Document Number  137
			FEB 11 2003	
			date docketed	
			COY	
			docketing deputy initials	
date mailed notice	mailing deputy initials			
Date/time received in central Clerk's Office				

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,

Plaintiff,

v.

KFIR BARZILAY, *et al.*

Defendants.

99 C 5023

Judge Ronald Guzman

**DOCKETED**

FEB 11 2003

**STIPULATION AND ORDER OF DISMISSAL AS TO  
DEFENDANT STANSLAV KAMINSKY**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, IT IS HEREBY  
STIPULATED AND AGREED by and between Plaintiff Securities and Exchange  
Commission (the "Commission") and Defendant Stanislav Kaminsky ("Kaminsky"),  
through their undersigned counsel, that:

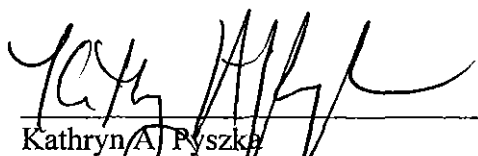
1. The Commission and Kaminsky have settled all claims asserted by the  
Commission against Kaminsky in the above-captioned case in the administrative action,  
In the Matter of Stanislav Kaminsky, Administrative Proceeding No. 3- 11023 ,  
instituted on January 29 , 2003. All claims against Kaminsky in the above-  
captioned matter are hereby dismissed with prejudice pursuant to the parties' settlement.

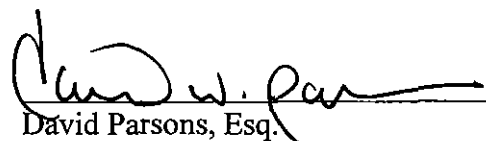
2. Kaminsky understands and agrees to comply with the Commission's  
policy "not to permit a defendant or respondent to consent to a judgment or order that  
imposes a sanction while denying the allegations in the complaint or order for

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proceedings" (17 C.F.R. §202.5(e)). In compliance with this policy, Kaminsky agrees: (i) not to take any action or to make or permit to be made any public statement denying, directly or indirectly, any allegation in the Complaint or creating the impression that the Complaint is without factual basis; and (ii) that upon the filing of this Stipulation, Kaminsky hereby withdraws any papers filed in this action to the extent that they deny any allegation in the Complaint. If Kaminsky breaches this agreement, the Commission may petition the Court to vacate the Order and restore this case to its active docket. Nothing in this provision affects Kaminsky's: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation in which the Commission is not a party; and

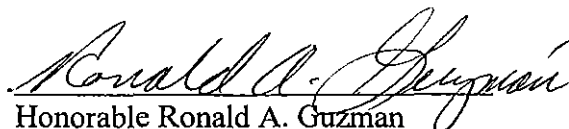
3. Kaminsky hereby waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996 or any other provision of law to pursue reimbursement of attorneys' fees or other fees, expenses or costs expended by Defendant Kaminsky to defend against this action. For these purposes, Kaminsky agrees that he is not the prevailing party in this action since the parties have reached a good faith settlement.

  
Kathryn A. Pyszk  
Securities and Exchange Commission  
175 West Jackson Boulevard, Suite 900  
Chicago, IL 60604  
(312) 353-7390  
Counsel for Plaintiff

  
David Parsons, Esq.  
42 Broadway, Ste. 1101-26  
New York, New York 10004  
(917) 320-4801  
Counsel for Stanslav Kaminsky

IT IS SO ORDERED

Dated: 2/5/03

  
Honorable Ronald A. Guzman