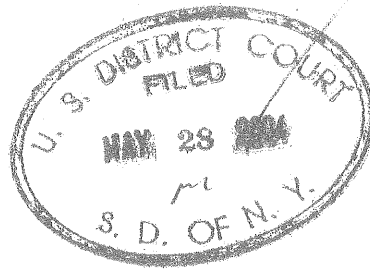


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

A-1 #132



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COMMODITY FUTURES TRADING COMMISSION, :

Plaintiff, :

02 Civ. 5497 (GEL)

-v.-

FINAL JUDGMENT

INTERNATIONAL FINANCIAL SERVICES (NEW YORK), INC., INTERNATIONAL FINANCIAL SERVICES (NEW YORK), LLC, JOHN WALKER ROBINSON, and CHAN KOW LAI a/k/a WILSON LAI, :

Defendants, :

# 07/1024

SOCIEDADE COMERCIAL SIU LAP LIMITADA, :

Relief Defendant. :  
-----X

Chr  
c/sed  
5/12/04

GERARD E. LYNCH, District Judge:

Default judgments having been entered against defendants International Financial Services (New York), Inc. ("IFS Inc.") and Sociedade Comercial Siu Lap Limitada ("Siu Lap"), and the Court having granted plaintiff summary judgment against the remaining defendants, International Financial Services (New York), LLC, John Walker Robinson, and Chan Kow Lai a/k/a Wilson Lai, by Opinion and Order dated May 6, 2004, CFTC v. Int'l Fin. Servs. (N.Y.), Inc., No. 02 Civ. 5497 (GEL), 2004 WL 1048241 (S.D.N.Y. May 7, 2004), it is hereby **ORDERED AND ADJUDGED THAT:**

1. Defendants are permanently restrained, enjoined, and prohibited from directly or indirectly:
  - A. Cheating or defrauding or attempting to cheat or defraud other persons, in or in connection with any order to make, or the making of, any contract of sale of any commodity for future delivery, made, or to be made, for or on behalf of any other person if such contract for future delivery is or may be used for delivering any such commodity sold, shipped, or received in interstate commerce for the fulfillment thereof, and/or willfully deceiving or attempting to deceive such other person by any means whatsoever in regard to any such order or contract or the disposition of execution of any such order or contract, or in regard to any act of agency performed with respect to such order or contract for such person, in violation of Section 4b(a)(2)(C)(i) and (iii) of the Act, 7 U.S.C. §§ 6b(a)(2)(c)(i) and (iii) (2001) and

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Section 1.1(b)(1) and (3) of the Regulations promulgated thereunder ("Regulations"), 17 C.F.R. §§ 1.1(b)(1) and (3) (2002); or

- B. Offering to enter into, entering into, executing, confirming the execution of, or conducting any office or business anywhere in the United States for the purpose of soliciting, accepting any order for or deposit of funds for same, or otherwise dealing in any transaction in, or in connection with, a contract for the purchase or sale of a commodity for future delivery in violation of Section 4(a) of the Act, 7 U.S.C. § 6(a) (2001).
2. Defendants are also permanently restrained, enjoined and prohibited from directly or indirectly:
- A. Engaging in, controlling or directing the trading for any commodity futures or options accounts for or on behalf of any other person or entity, whether by power of attorney or otherwise;
  - B. Entering into any commodity futures or options transactions for their own accounts, for any accounts in which they have a direct or indirect interest, and/or having any commodity futures or options traded on their behalf; and
  - C. Applying for registration or claiming exemption from registration with the Commission in any capacity, and engaging in any activity requiring such registration or exemption from registration, except as provided for in Section 4.14(a)(9) of the Commission's Regulations, 17 C.F.R. § 4.14(a)(9), or acting, directly or indirectly, as a principal, agent, or any other officer, agent or employee of any person registered, required to be registered, or exempted from registration with the Commission, unless such exemption is pursuant to Section 4.14(a)(9) of the Commission's Regulations, 17 C.F.R. § 4.14(a)(9).

**IT IS FURTHER ORDERED AND ADJUDGED THAT:**

1. Restitution and Disgorgement: Defendants shall pay and be jointly and severally liable for restitution and disgorgement to defrauded IFS Inc. and IFS LLC customers in the amount of \$25,428,840 plus post-judgment interest. Interest after the date of this Order until the restitution is paid in full shall be paid at the post-judgment interest rate set forth in 28 U.S.C. § 1961. Defendants are ordered to make such payment(s) to Brian Rosner, Esq., the Court-appointed Receiver ("Receiver"), 3 New York Plaza, New York, NY 10004 by cashier's check, certified check or postal money order, under cover of a letter that identifies the name and number of this action and the name of this Court, with a copy to Christina Kang, Esq., counsel of record for the plaintiff Commodity Futures Trading Commission. All payments made pursuant to this Order by defendants shall first be made to the defrauded customers for restitution, pursuant to a payment plan that will

be determined by the Court, until those amounts (including interest) are fully satisfied. All payments after satisfaction of the restitution shall be applied to the civil monetary penalty described below.

2. Civil Monetary Penalty: Defendants shall be jointly and severally liable to pay a civil monetary penalty plus post-judgment interest in the amount of \$76,286,520. Interest after the date of this Order until the civil monetary penalty is paid in full shall be paid at the post-judgment interest rate set forth in 28 U.S.C. § 1961. Defendants shall pay such civil monetary penalty by electronic funds transfer, or by U.S. postal money order, certified check, bank cashier's check, or bank money order, made payable to the U.S. Commodity Futures Trading Commission, and sent to Dennese Posey, or her successor, Division of Enforcement, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581, under cover of a letter that identifies defendants and the name and docket number of the proceeding; defendants shall simultaneously transmit a copy of the cover letter and the form of payment to the Director, Division of Enforcement, U.S. Commodity Futures Trading Commission, at the following address: 1155 21<sup>st</sup> Street, NW, Washington, D.C. 20581, and to the Regional Counsel, U.S. Commodity Futures Trading Commission, Eastern Regional Office, at the following address: 140 Broadway, New York, New York, 10005.

3. Third-Party Beneficiaries: Pursuant to Rule 71 of the Federal Rules of Civil Procedure, each of the defrauded customers of IFS Inc. and IFS LLC is explicitly made an intended third-party beneficiary of this Order and may seek to enforce obedience of this Order to obtain satisfaction of any portion of the restitution amount which has not been paid by defendants.

4. Collateral Agreements: Defendants shall immediately notify the Commission if they make any agreement with any defrauded IFS Inc. or IFS LLC customer obligating them to make payments outside of this Order. Defendants shall also provide immediate evidence to the Court and to the Commission of any payments made pursuant to such agreement.

5. Frozen Assets: The Receiver is directed to retain all of each defendant's assets that are currently frozen and allocate such assets toward the restitution amount to be paid by such defendant in accordance with such further orders of the Court.

6. Repatriation of Assets: Each Defendant shall immediately repatriate and transfer to the territory of the United States all funds and assets located in foreign countries which are (1) titled in such defendant's name; or (2) held by a person or entity for the benefit of such defendant; or (3) under such defendant's direct or indirect control, whether jointly or singly, and deposit such funds, and assets with the Court-appointed Receiver and provide the plaintiff and the Court with a written description of the funds and assets so repatriated and transferred

7. Prohibition on Transfer of Funds: Defendants shall not transfer or cause others to transfer funds or other property to custody, possession or control of any other person for the purpose of concealing such funds or property from the Court, the plaintiff, the Receiver, or any officer that may be appointed by the Court.

8. Scope of Injunctive Relief: The injunctive provisions of this Order shall be binding on defendants, upon any person insofar as he or she is acting in the capacity of officer, agent, servant, employee or attorney of defendants, and upon any person who receives actual notice of this Order by personal service, facsimile or otherwise insofar as he or she is acting in concert or participation with defendants.

9. Notices: All notices required to be given by any provision in this Order shall be sent by certified mail, return receipt requested, as follows:

Notice to Commission:

Regional Counsel, Stephen J. Obie  
Division of Enforcement – Eastern Regional Office  
U.S. Commodity Futures Trading Commission  
140 Broadway, 19<sup>th</sup> Floor  
New York, NY 10005

Notice to Defendants:

Louis F. Burke, Esq., for  
Defendant International Financial Services (New York), LLC  
360 Lexington Avenue, 14<sup>th</sup> Floor  
New York, NY 10017

Ronald E. Kliegerman, Esq., for  
Defendant Chan Kow Lai a/k/a Wilson-Lai  
233 Broadway, 38<sup>th</sup> Floor  
New York, NY 10279

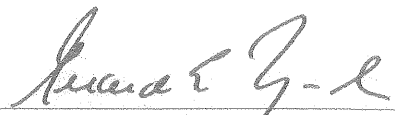
Defendant John Walker Robinson, *pro se*  
395 South End Avenue, #32C  
New York, NY 10280

Notice to Receiver:

Brian Rosner, Esq.,  
3 New York Plaza,  
New York, NY 10004

IT IS FURTHER ORDERED AND ADJUDGED THAT this Court shall retain jurisdiction to assure compliance with this Order and for all other purposes related to this action.

Dated: New York, NY  
May 26, 2004



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GERARD E. LYNCH  
United States District Judge

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 5/28/04