

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS  
TOPEKA DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

DAVID TANNER, Individually, and d/b/a  
CAPITAL ENHANCEMENT CLUB,

ROCKYD. SPENCER,  
MARROC CORP., and  
RICHARD P. KRINGEN,

Defendants,

and

MARGARET F. SPENCER,  
OMNIBUS LLC,  
VECTRA RESOURCES, LLC, and  
DYNAMIC ENVIRONMENTAL SOLUTIONS, INC.,

Relief Defendants.

Civil Action No.  
05-4057-SAC

**FINAL JUDGMENT AS TO VECTRA RESOURCES, LLC.**

The Securities and Exchange Commission ("Commission") having filed a Complaint and Relief Defendant Vectra Resources, LLC ("Defendant") having entered a general appearance; consented to the Court's jurisdiction and the subject matter of this action; consented to entry of this Final Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Defendant shall pay disgorgement in the amount of \$250,000 representing funds obtained. Defendant shall satisfy this obligation by paying \$250,000 pursuant to the following schedule:

- (a) at the time of the entry of the Agreed Judgment in this matter, Defendant forfeits to the court appointed Receiver, Larry E. Cook, any claim or right, now or in the future, against funds in the amount of \$91,742 currently in the possession of the Receiver and previously held at Bank of America;
- (b) within five (5) days of the entry of the Agreed Judgment, Vectra shall pay \$33,258;
- (c) no later than 90 days after the entry of the Agreed Judgment, Vectra shall pay \$62,500; and
- (d) no later than 180 days after the entry of the Agreed Judgment, Vectra shall pay \$62,500.

Payment shall be made by U.S. Postal money order, check, bank cashier's check, or bank money order, made payable to the Receiver, Larry Cook, CVA Solutions, Inc., 14904 W. 87<sup>th</sup> St. Parkway, #333, Lenexa, KS 66215, under cover of a letter that identifies Defendant Vectra, the name and case number of this action, the name of this Court, and the Commission's case number (FW-02915). A copy of the cover letter and of the form of payment shall be simultaneously transmitted to Timothy P. Davis, Trial Counsel, Securities and Exchange Commission, Burnett Plaza, Suite 1900, 801 Cherry Street, Unit 18, Fort Worth, TX 76102-6882. By making these payments, Defendant relinquishes all legal and equitable right, title, and interest in such funds, and no part of the funds shall be returned to Defendant.

**II.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any order to pay disgorgement is given preclusive effect in any bankruptcy case filed by or against Defendant. Solely for the purpose of such bankruptcy proceedings, such order establishes all the factual elements necessary to enable a court to make a finding that it is non-dischargeable pursuant to 11 U.S.C. §523(a)(4).

**III.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Consent filed herein be, and the same is hereby incorporated in this Final Judgment with the same force and effect as if fully set forth herein.

**IV.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Court shall retain jurisdiction of this action for all purposes, including for purposes of entertaining any suitable application or motion by the Commission for additional relief within the jurisdiction of this Court, including but not limited to the relief requested by the Commission in its Complaint in this action.

**V.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Final Judgment may be served upon Defendant in person or by mail either by the United States Marshal, by the Clerk of the Court or by any member of the staff of the Commission.

**VI.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, there being no just reason for delay, the Clerk of this Court is ordered and directed to enter this Final

Judgment pursuant to Rule 54 of the Federal Rules of Civil Procedure.

DATED this 1<sup>st</sup> day of February, 2006.

s/ Sam A. Crow  
HONORABLE SAM A. CROW  
UNITED STATES DISTRICT SENIOR JUDGE

Agreed:

s/ Timothy P. Davis  
TIMOTHY P. DAVIS  
Kansas Bar No. 18647  
Texas Bar No. 00798134

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U.S. Securities and Exchange Commission  
Burnett Plaza, Suite 1900  
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Fort Worth, TX 76102-6882  
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(817) 978-4927 (fax)  
E-Mail: [davistp@sec.gov](mailto:davistp@sec.gov)

Agreed:

s/ Roger N. Walter  
Roger N. Walter, S.Ct. #8620

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*Attorney for Vectra Resources LLC*