

10(b) of the Securities and Exchange Act of 1934, 15 U.S.C. § 78j(b) and Exchange Act Rule 10b-5 (17 C.F.R. § 240.10b5); and (b) violation of Virginia common law for actual fraud and constructive fraud.

(3) Further, for which execution shall issue immediately, Final Judgment is entered in favor of Plaintiff Frank C. Carlucci III and against Defendants Michael S. Han, Envion, Inc., Lyf Holdings, Inc., and Hammon Avenue Partnership LLC, jointly and severally, on Counts VI, VIII, and IX of the Second Amended Complaint (ECF No. 128). It is hereby ordered that the fraudulent transfers of the property and other assets alleged in the Second Amended Complaint, with the exception of those itemized in Paragraph 4 of this Judgment, are set aside, void, and ordered returned to Plaintiff. The Court grants Plaintiff an equitable lien and/or constructive trust upon all of the property and assets alleged in the Second Amended Complaint and all other property, real or personal, obtained with Mr. Carlucci's investment funds, with the exception of the property and assets itemized in Paragraph 4 of this Judgment. Such property and assets include, without limitation: 232 Garden Road, Palm Beach, Florida 33480; 220 Atlantic Avenue, Palm Beach, Florida 33480; and 125 Hammon Avenue, Palm Beach, Florida 33480 (collectively, the "Palm Beach Properties"); all automobiles acquired with Mr. Carlucci's investment funds, including the Porsche Carrera Cabriolet and Jeep Grand Cherokee alleged in Paragraph 25 of the Second Amended Complaint, the 2011 Range Rover alleged in Paragraph 44(c) of the Second Amended Complaint, and the two automobiles purchased from Russell Motor Cars in March and May of 2011 and the automobile purchased from New Country Motors in June of 2011, as alleged in Paragraph 44(c) of the Second Amended Complaint; all clothing and jewelry acquired with Mr. Carlucci's investment funds that are in the possession or control of Michael S. Han, Envion, Inc., or Lyf Holding, Inc.; \$700,000 in cash transferred to Dorothy Kyle Harkrader

Han's ("Kyle Han") bank account on or about April 30, 2012; all cash currently held in any bank account owned solely or partly by Defendants Michael S. Han, Envion, Inc., Lyf Holdings, Inc., or Hammon Avenue Partnership LLC; and the property located at 502 West Broad Street, Unit 506, Falls Church, Virginia 22046 (the "Virginia Property").

(4) The following property and assets are not subject to this Final Judgment until further proceedings in which Defendant Kyle Han may present her objections and defenses to Plaintiff's claims:

- a. Cash in excess of the \$700,000 transferred to Kyle Han's bank account on or about April 30, 2012;
- b. 9409 S. Old Oregon Road, Nag's Head, North Carolina;
- c. Kyle Han's personalty, including her claims to jewelry, clothing, and home furnishings and contents.

(5) Based upon the record in this action, the Court specifically finds that Michael S. Han, Envion, Inc., Lyf Holdings, Inc., and Hammon Avenue Partnership LLC have committed material violations of each of the specific common law and statutory duties alleged in the Second Amended Complaint, which include: violation of the Florida Uniform Fraudulent Transfer Act, Fla. Stat. § 726.101 *et seq.*

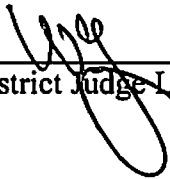
(6) Defendants also are enjoined from transferring or otherwise encumbering the Palm Beach Properties, the Virginia Property, or any other property, real or personal, obtained with Mr. Carlucci's investment funds, and ordered to disgorge all of the funds obtained via fraudulent transfers.

(7) This Court retains jurisdiction with respect to all remaining claims, matters, and parties in this action (including without limitation claims against other Defendants and the

determination of attorneys' fees and costs to which Plaintiff is entitled) and to enforce this Final Judgment.

(8) The Clerk of Court is directed to enter this Final Judgment and shall forward copies hereof to all counsel of record.

It is so ORDERED this 10th day of May, 2013.



United States District Judge Liam O'Grady