

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1031

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SECURITIES AND EXCHANGE COMMISSION

v.

JOHN GARDNER BLACK; DEVON CAPITAL MANAGEMENT, INC.;  
BANKRUPTCY ESTATE OF FINANCIAL MANAGEMENT SCIENCES, INC.

John Gardner Black,

Appellant

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On Appeal From the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civ. No. 97-cv-02257)  
Chief District Judge: Hon. Donetta W. Ambrose

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Submitted under Third Circuit LAR 34.1(a)  
September 7, 2007

Before: BARRY, CHAGARES and ROTH, Circuit Judges

**JUDGMENT**

This case came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on September 7, 2007.

Upon consideration whereof,

**IT IS ORDERED AND ADJUDGED** by this Court that the judgment of the District Court entered December 15, 2006, be and the same is hereby **affirmed**. Costs taxed against the Appellant.

All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron  
Clerk

Dated: January 30, 2008

Certified as a true copy and issued in lieu of a formal mandate on 3/26/08

Teste: Marcia M. Waldron  
Clerk, U.S. Court of Appeals for the Third Circuit