## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

V.

Case No. 1:09cv1473
(Caldwell)...

ROBERT GLENN BARD and VISION SPECIALIST GROUP, LLC,

FILED HARRISBURG, PA

Defendants.

MARYE. S'AMPHEA, CLERK

Deputy Clerk

APR 1 2 2011

## STIPULATED ORDER OF CONTEMPT

AND NOW, this \_\_\_\_\_\_ day of April, 2011, the parties hereby stipulate to the entry of this Order in resolution of Plaintiff Securities and Exchange Commission's Emergency Motion to Hold Defendant Robert Glenn Bard in Contempt and defendant's response thereto. Based on the agreement of the undersigned, it is hereby ORDERED that:

1. Defendant Bard is found in contempt of the Court's Order by Consent of Preliminary Injunction, Order Freezing Assets and Granting Other Relief, entered August 11, 2009 (Doc. No. 26), as well as the Court's Order entered January 12, 2010 (Doc. No. 41), based on his receipt of funds, control of client accounts, and his participation in income earning activities in the financial services sector.

- 2. Defendant Bard is ordered to provide, within seven (7) days of the entry of this Order, a verified accounting of the following:
  - (i) <u>Financial Services Clients</u>: the name, address, telephone number, and e-mail address of each person to whom Defendant Bard, his wife Julie Bard ("Mrs. Bard"), Defendant Vision Specialist Group, LLC ("VSG"), or any person acting in active concert or participation with Defendants has provided financial services since August 11, 2009;
  - (ii) Assets: all funds or assets received since August 11, 2009, by Defendant Bard, Mrs. Bard, Defendant VSG, or any person acting in active concert or participation with Defendants, from clients or other persons, including, inter alia, funds or assets received as fees or investments; and
  - (iii) Managed Accounts: all accounts (including but not limited to bank accounts and brokerage accounts) which Defendant Bard, Mrs. Bard, Defendant VSG, or any person acting in active concert or participation with Defendants has had authority over (or otherwise managed on behalf of any client or other person) since August 11, 2009. Accounts should be identified by account number, type of account, financial institution, address of the financial institution, the name or names in which the account is titled, and the name or names of the client on whose behalf the account is being managed.
- 3. Defendant Bard shall provide, within seven (7) days of the entry of this Order, notice to each person who is (or, at any time since August 11, 2009, has been) a client of Defendant Bard or Defendant VSG—or to whom Defendant Bard or Defendant VSG has otherwise provided financial services since August 11, 2009—a notice substantially in the form found at Appendix A of this Order. The notice shall be printed on plain, white paper in a 12-point, black-color, conventional font, and shall be sent by first-class mail, postage prepaid, and sent to

each such person's last known mailing address. Defendant Bard shall also cause to be served upon the Commission's counsel a certification that the aforementioned notice has been provided, along with a certification of the names and addresses to which such notice has been sent, and a copy of the notice or notices sent.

Dated: April 12, 2011

(215) 597-3100

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IT IS SO ORDERED.

William W. Caldwell

United States District Judge

## **APPENDIX A**

## NOTICE CONCERNING ROBERT GLENN BARD AND VISION SPECIALIST GROUP, LLC

Robert Glenn Bard, an investment adviser, has been held in contempt of court by the U.S. District Court for the Middle District of Pennsylvania in <u>S.E.C. v. Bard</u>, Case No. 1:09cv1473 (M.D. Pa.). The court has required him to deliver this notice to certain present and former clients. Please carefully read the following:

The U.S. Securities and Exchange Commission has brought a civil enforcement action in federal court against Robert Glenn Bard and Vision Specialist Group, LLC. The complaint alleges that, on multiple occasions, and with respect to multiple clients, Bard defrauded advisory clients by making false statements regarding the value of client accounts, took excessive fees, and disregarded client instructions by investing clients in inappropriate investments. The case is ongoing.

On August 11, 2009, the court entered an Order of Preliminary Injunction against Bard and Vision Specialist Group. Among other things, the court's order states:

- 1. Bard and Vision Specialist Group are prohibited from controlling any client money and from making any purchases, sales, or transfers in client accounts, and may not take fees from client accounts.
- 2. All bank accounts of Bard and Vision Specialist Group are frozen. Bard may not borrow money, or spend money, without court authorization.

On January 12, 2010, the court entered an additional order allowing Bard to work to pay for his personal expenses on the condition that he not work in the financial services sector (including but not limited to working as an investment adviser).

On April 12, 2011, the district court entered an order finding that Bard violated the court's prior orders by receiving funds, controlling client accounts, and participating in income earning activities in the financial services sector.

The court's actions in no way prevent Bard's clients from accessing or controlling their own money. If clients have any questions, they are encouraged to read documents summarizing the case against Bard including the litigation release and complaint against Bard and Vision Specialist Group at <a href="http://www.sec.gov/litigation/litreleases/2009/lr21160.htm">http://www.sec.gov/litigation/litreleases/2009/lr21160.htm</a>. Clients may also contact the U.S. Securities and Exchange Commission at (215) 597-3100.